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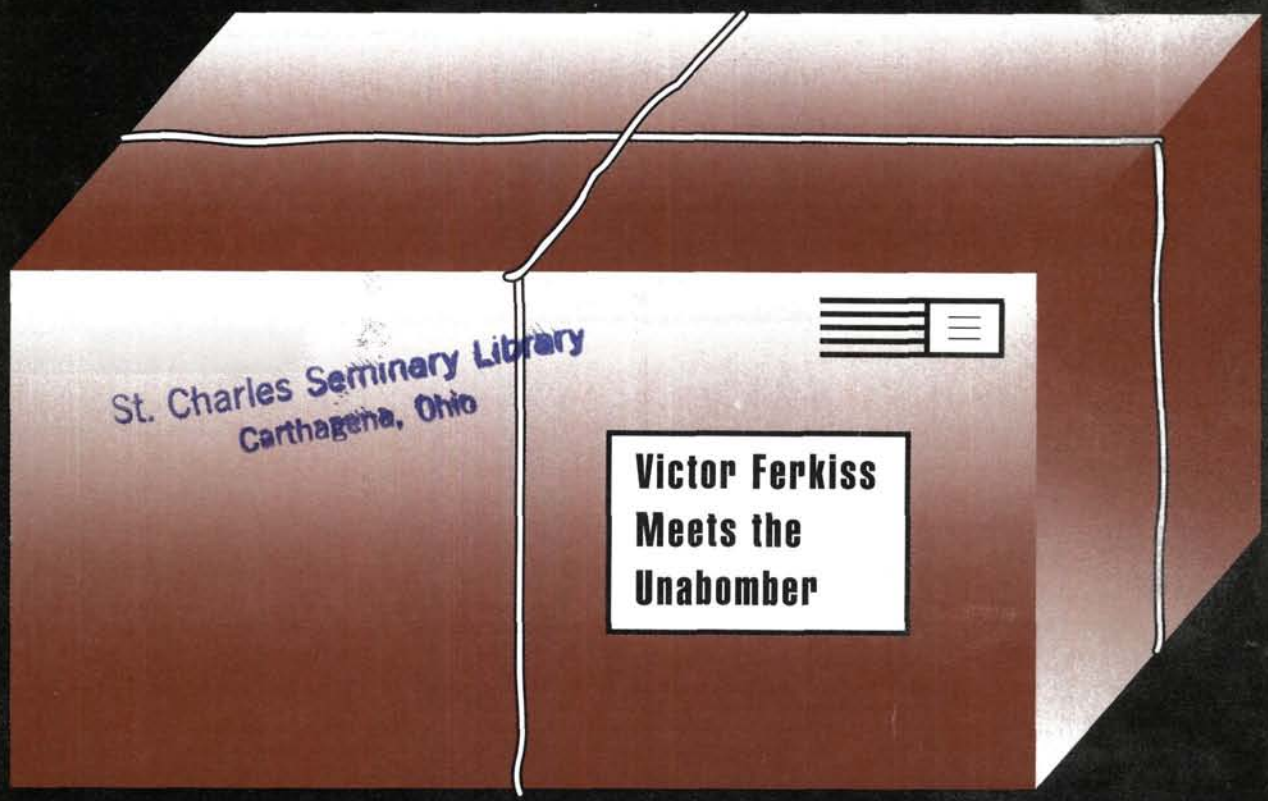

CAN ROME RUN CATHOLIC COLLEGES?

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To the Editors

Bad side of going global

In his "The Good Side of Going Global" [July 18], it strikes me that Jay Mandle was so busy beating up on the Economic Policy Institute [EPI] and "the liberal antitrade position" that he overlooked some other aspects of the phenomenon he so amiably supports.

Most people I know might well agree with Mandle that "it [globalization] will have to be guided." Very few are opposed to globalization as such. Few would disagree that it has brought about economic development and raised average living standards in some developing countries. But most critics would ask who is benefiting from the growth, how inclusive it is, and who is giving globalization what guidance. Where are Pope John Paul II's "juridical structures"?

Mandle appears to accept the fact and the value of free trade without question. EPI is chastised for advocating policies that would cause harm by "seriously disrupting international trade." But in fact trade is not free; it is managed by production and trading companies, by international banks, and, increasingly, by competing trade-enthralled governments like our own.

Globalization is about far more than trade; production and investment are at least equally prominent. Privatization and deregulation are central to the process, with the apparent goals of unlimited profit and unaccountable economic power. The "preferential option for the poor" and the primacy of the common good, intrinsic to Catholic social teaching, are irrelevant. Economic growth has indeed occurred, but the cost to the natural resource base, successfully externalized (to us) by the globalizers, is not calculated.

Earlier this year, at a conference on "Catholic Social Teaching in an Age of Globalization," convened by the Center of Concern in collaboration with Archbishop Rembert Weakland and Marquette University, the major matter of dissensus was precisely the optimistic judgment suggested by the title of Mandle's piece. The minority view—represented by business persons, bankers, and related professionals—was that globalization could be made compatible with Catholic social teaching by means of personal conversion; good people acting on their faith commitment would temper the excesses of the (flawed) process. Nearly everyone else appeared to believe that the problem is more systemic than personal and that the economic system needs to be regulated in the interest of the common good.

Robert Senser's article, which followed Mandle's, was an effective counter to it, at least with respect to the labor aspects, and I would urge Mandle and others who accept the mantra of globalization to read *The Case against the Global Economy*, reviewed in the same issue. MARTIN M. McLAUGHLIN
Arlington, Va.

Cunneen on Kieslowski

Joseph Cunneen's brilliant piece on the late Polish director Kryzsztof Kieslowski [August 15] is almost a demonstration of what arts criticism is—or should be: It is not a question of 3 & 1/2 stars or any number of thumbs up or down. At its best it is *explication de texte*, and that is what Cunneen has superbly done. We are introduced to the director's career, his better-known, more recent pictures, and then a penetrating descriptive analysis of what the critic, correctly, regards as his most important work, *The Ten Commandments*.

By the end of the piece, Cunneen has also made it clear, with no hint of argumentative tone, that that major work of film has important, if not flattering, implications for both personal and institutional Christianity today.

Had there been both space enough and time, it would have been fascinating to read a Cunneen comparison between that Polish work and the two American versions of *The Ten Commandments*, both made by Cecil B. DeMille, in 1923 (silent) and its remake, DeMille's last movie, in 1954 (sound, color, wide screen, the works, including the Legion d'Honneur and an audience with Pius XII). FRANK GETLEIN
Alexandria, Va.

The writer contributed essays and reviews to Commonweal *in the '70s and early '80s on art and other topics.*

Footnote on Kieslowski

The late-breaking news is good. Since I wrote my article, Kieslowski's *Decalogue* has been made available on video. Episodes 1-5 are on one video, 6-10 on a second. Since the whole work has never been shown in the U.S. except at festivals, I would encourage readers to ask their local PBS stations to run the whole work as a series, as BBC has done in England.

Videos of Kieslowski's other works are to be found in video stores that stock foreign films. Perhaps the best source for someone not living, as I am, near a quality outlet (Piermont Pictures, Piermont, N.Y.) that immediately stocked *Decalogue*, is Facets Video Rentals, 1517 W. Fullerton Avenue, Chicago, IL 60614 (toll-free 1-800-331-6197). Their latest catalogue lists *Red, White, Blue, Blind Chance, Camera Buff, The Double Life of Veronique*, and *Subsidiaries*.

Fortunately, the screen plays of *Decalogue* were published by Faber & Faber, which has also brought out *Kieslowski by Kieslowski*, containing the director's comments on all his films. Dissertations on *Decalogue* have been published in Germany and Italy, and are surely in progress here, but we should press to make the film itself available in theaters in North America.
JOSEPH CUNNEEN
West Nyack, N.Y.

Pot & kettle?

Francis DeBernardo of New Ways

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COMMONWEAL

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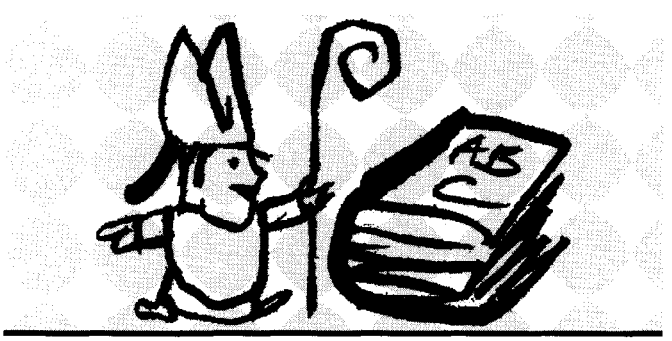

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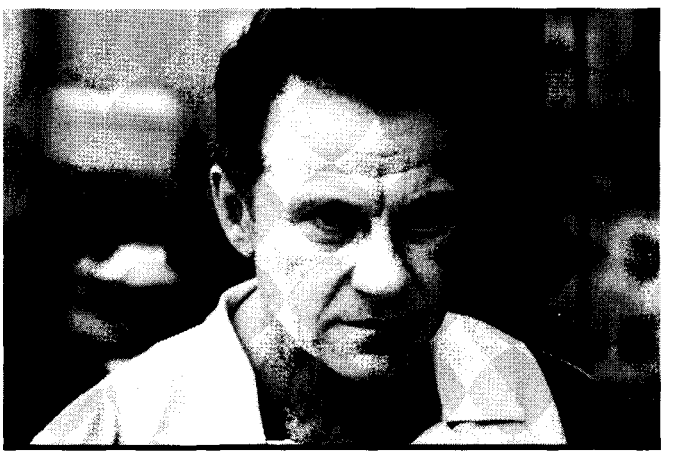

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(Continued from page 2)

Ministry criticizes [Correspondence, May 23] the *Wanderer* for inaccurate, biased reporting, below his standards. Yet in a letter to the *Detroit News* [April 30] he himself completely falsified official Catholic church teaching on the homosexual orientation. He wrote: "The Catholic church teaches that a homosexual orientation is a morally neutral state." Later he referred to the church's teaching "on the moral neutrality of a homosexual orientation."

But in 1986 the church's highest doctrinal authority, the Congregation for the Doctrine of the Faith, after noting that some have called the homosexual orientation or tendency "neutral, or even good," declared that since it is an inclination toward seriously evil acts, "the inclination itself must be seen as an objective disorder" ("On the Pastoral Care of Homosexual Persons," no. 3). In 1992 this same authority stated that "the homosexual orientation is an objective disorder and evokes moral concern" ("Non-Discrimination against Homosexual Persons," no. 10).

Thus DeBernardo's statements completely contradict and misrepresent official Catholic church moral teaching. So much for accuracy and balance *in reporting!* JEROME F. TREACY, S.J.

Clarkston, Mich.

The writer replies

Father Treacy is mistaken about the church's view of the morality of homosexual orientation. The quotation he selects from the 1986 letter to the Catholic bishops from the Congregation for the Doctrine of the Faith [CDF] suffers from misinterpretation. In an article in *America* [February 7, 1987], Archbishop John Quinn of San Francisco wrote that the term "objective disorder" is a philosophical, not a moral description. Quinn noted that "the document affirms the spiritual and human dignity of the homosexual person while placing a negative moral judgment on homosexual *acts* and a negative philosophical judgment on the homosexual *inclination* or orientation, which it clearly states is not a sin or moral evil" [italics his]. In the same year, Cardinal Joseph Ratzinger, prefect of the CDF, expressed gratitude to Quinn for his "careful analysis" and hoped that "all the faithful entrusted to your care will profit from the clarity and pastoral sensitivity you have shown."

Father Treacy does not quote the introductory section from the sentence in the CDF letter he cites. It reads, in part: "Although the particular inclination of the homosexual person is not a sin...." The 1990 statement of the U.S. Catholic bishops on sexuality reaffirmed this judgment: "Such an orientation in itself, because not freely chosen, is not sinful."

Father Treacy's quotation from the CDF's 1992 instruction suffers from a lack of context. The sentence following the one he quotes elucidates the "moral concern" which a homosexual orientation "evokes." The concern is not about the orientation itself but about certain areas in which it would be morally justifiable to discriminate on the basis of sexual orientation: the placement of children for adoption or foster care, the employment of teachers or athletic coaches, and in military recruitment.

My statement in the *Detroit News* about the moral neutrality of a homosexual orientation was made in the context of a news story about Bishop Thomas Gumbleton's call for gay and lesbian church workers, including priests and bishops, to acknowledge their sexual orientation publicly. The story quoted people who said that such disclosure would be acknowledging sin. Given the clear church teaching on the topic, I stand by my statements that such charges are simply inaccurate. FRANCIS DeBERNARDO

Van Beeck & the Seminar

At the end of his essay, "Who Do You Say I Am" [June 20], Frans Jozef van Beeck addresses his readers directly and asks forbearance for any lack they might find in his essay. That is surprising, coming as it does from an author who has just finished mercilessly castigating the Jesus Seminar without naming one member or the title of one of the books from the Seminar.

Regarding the Jesus Seminar, he writes: "(Impertinent question: Who is putting up the money for the project?)" I think the question is more malicious than impertinent, for it implies that the scholars in the Jesus Seminar are part of a conscious and moneyed conspiracy to undermine the fragile faith of believers.

By impugning the motives of others, van Beeck casts doubt on the quality and character of his own faith in action. One is left to wonder if van Beeck's peevish essay is motivated by academic jealousy.

Ubi caritas? PAUL FERRIS

Annapolis, Md.

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Miles to go

Accepting his party's nomination for president in 1992, Bill Clinton promised the American people that he would "end welfare as we know it." Clinton's willingness to tackle what were widely believed to be the outright fraud, inefficiencies, and "culture of dependency" plaguing the welfare system helped to convince voters wary of so-called "liberal" government handouts that he was a "new" Democrat. Last month, a year after signing into law the Republican Congress's "Personal Responsibility and Work Opportunity Reconciliation Act" ending welfare as a federal entitlement, Clinton announced that "the debate is over. We now know that welfare reform works."

Welfare rolls have indeed fallen dramatically—down 3.4 million during Clinton's presidency, perhaps as much as 1.3 million in the year since the federally guaranteed Aid to Families with Dependent Children program was replaced by block grants to the states. That's an astonishing and unprecedented 24 percent decline. Though opponents of welfare reform predicted dire consequences should the bill's work requirements and benefit time-limits become law, most observers concede that little additional hardship has been evident so far. But while moving people from welfare to work can be applauded by citizens across the political spectrum, it is far too early to declare the nation's new welfare regime an unalloyed success.

The spectacular decline in welfare lists can be attributed to several factors, above all the booming economy's ability to absorb even relatively unskilled workers and the progress made by experimental workfare programs in individual states. Faced with the prospect of losing their benefits, welfare recipients have found their way back into the job market with surprising alacrity and in impressive numbers. Still, an economic downturn could easily put an end to these promising developments. Without entry-level jobs to go to, little movement off the rolls is possible. More important, experts note that those welfare recipients who have found work are also, quite logically, the most employable. As the welfare rolls shrink, those left are increasingly people lacking even minimal work and social skills and often struggling with drugs, illiteracy, or mental illness. Moving these people from dependency to relative self-sufficiency requires extensive and expensive intervention programs, programs still viewed with suspicion by many taxpayers. As the new law's progressively stricter eligibility requirements start to kick in at various times in different states—overall there is a two-year limit on receiving assistance without working and a five-year lifetime limit on cash assistance—what happens to the "truly needy" should be the overriding concern.

It also remains to be seen just how successful former welfare clients are at finding long-term jobs that pay a living wage. As Rebecca Blank (*It Takes a Nation: A New Agenda for Fighting Poverty*, Princeton) reminds us, "employment has become progressively less effective at reducing poverty." Well-funded workfare initiatives are doubtless a step in the right direction, for they teach indispensable habits and skills while also strengthening the ties of mutual obligation and support between individual recipients and the community. But they are only a step. Fairer wages and better benefits for the working poor are what will count in the long-run. In an econ-

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omy whose rewards are increasingly skewed toward those who already enjoy great wealth and privilege, there is something petty and suspiciously self-serving in those at the top loudly demanding so much from those who have so little.

Thankfully, fears that abandoning a federal entitlement to welfare would result in abandonment of the poor at the state level have not been realized. Indeed, states that have already been experimenting with workfare, such as Wisconsin, Michigan, and Tennessee, have pioneered the use of job training and placement, day care, community-service, and subsidized jobs. True, the reform bill strictly capped federal spending for welfare at $16.5 billion, regardless of the growth of welfare rolls. But since the rolls have declined so dramatically, many states now have more money to spend on making workfare work. Wisconsin, for example, is spending $6,000 more this year than last on each recipient. But here, too, the real answers lie in the future. How will states respond to a recession and a welfare emergency? States now pick up roughly 40 percent of the welfare bill. If faced with an increase in welfare rolls they will be free to spend more or to artfully rearrange how they spend federal dollars. But will they have enough resources and will they do it?

Finally, one of the 1996 law's most noxious stipulations, the denial of Supplemental Social Security aid to elderly and disabled legal immigrants, was eliminated at Clinton's insistence in the recent budget deal. Funding was also restored to help provide work for unemployed food stamp recipients. In addition, the Labor Department has ruled that workfare recipients are entitled to the minimum wage and subject to federal labor regulations. Republicans are promising to fight that ruling. Yet Wisconsin's experience under a Republican governor indicates that getting people off welfare permanently will require greater, not minimal, public investment.

Devising a more reasonable or realistic welfare reform than the one enacted by the Republican Congress is not hard. The imposition of time limits on benefits holds the prospect of great hardship for many of the neediest. Only 20 percent of welfare clients will remain exempt from being cut off come 2002. Will those exemptions cover all truly in need of public assistance?

It is hard to argue that no good has come from last year's reform. Insofar as the old system treated its clients more like undeserving children than morally responsible adults, it dehumanized recipients and alienated taxpayers. The current law has the potential (largely unintended, to be sure) to reinvigorate a sense of social and moral reciprocity between this nation's haves and have-nots. Requiring able-bodied welfare recipients to work need not be seen as a narrow or merely meanspirited victory for "conservatives." To the extent that welfare is understood to be a two-way street, it promises to strengthen the average citizen's regard for what government stands for and consequently for what government is called upon to do. In requiring recipients to do their fair share, the larger community, both public and private, in turn binds itself more firmly to doing its part. So as the welfare system begins to deal with its hardest cases, the renewed confidence in government generated by the early success of reform can, in the right hands, be a great asset in summoning the political will to provide for the neediest of all.

MOTHER TERESA, R.I.P.

Mother Teresa's death earlier this month at the age of eighty-seven marked the passing of a woman whose heart seemed large enough to embrace all humanity. In founding and building up the Missionaries of Charity, Mother Teresa gave comfort and spiritual consolation to the dying and destitute through the work of more than 500 missions in an astonishing 120 countries. Brought to the wider world's attention by Malcom Muggeridge in the 1960s, she went from relative obscurity tending to and sharing the life of the "poorest of the poor" in India's teeming slums to international acclaim, including the Nobel Peace prize in 1979.

Yet she also had her critics, especially among those who bristled at her uncompromising opposition to abortion and her all-but-uncomprehending dismissal of contraception. Worldly renown brought her into contact with nefarious political figures, like Haiti's dictator Jean-Claude Duvalier and the Nicaraguan *contras*, eager to acquire a kind of vicarious moral legitimacy in her shadow. She allowed herself to be held up as a model of a very gender-specific kind of piety by those eager to end the discussion about the current role and the historical treatment of women in the church. Moreover, Mother Teresa's seeming indifference to the very this-worldly task of alleviating poverty could sometimes rankle even those who recognized the great value of her vocation. "We are not social workers, not teachers, not nurses or doctors. We serve Jesus in the poor," she told those who questioned the limited scope of the services provided by her order. "The poorest of the poor are for us a means of expressing our love for God."

Seeing God as somehow present—indeed, paramount—in the midst of unrelieved human suffering is not easy to do. Indeed, Mother Teresa's harshest critics accused her of using the poor as "occasions of piety." This is wildly off the mark, but such skepticism is understandable, especially in a world where so much can now be done to help lift people out of destitution. Too often seeing "Jesus" in the poor has allowed the better-off, and the church, to avoid really seeing the poor at all. Yet as Mother Teresa's life attested to, the gospel's declaration that the poor and the meek are blessed discloses an undeniable truth. "Through voluntary poverty," Dorothy Day wrote, "we will have the means to help our brothers. We cannot even see our brothers in need without first stripping ourselves." For Christianity has long taught, Day continued, that "the mystery of the poor is this: That they are Jesus, and what you do for them you do for him....The mystery of poverty is that by sharing in it, making ourselves poor in giving to others, we increase our knowledge of and belief in love."

That is a truth that needs constant rediscovering.

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SIDNEY CALLAHAN

OF HUMAN BONDAGE

Science & superstition

Have you ever wondered why superstition and scientific knowledge increase and flourish together? Here we live in the most science-oriented, technologically saturated society in the history of the world, yet false beliefs, pseudofacts, and nonsensical stories proliferate. Think of how those well-educated members of the Heaven's Gate cult staked their lives on the unfounded belief that space denizens were arriving to take them away. Further evidence of the spread of credulity can be gathered by glancing through the tabloids in your local supermarket.

My explanation for the paradoxical growth of science and superstition is based on human psychology. Consider the mindset it takes to keep abreast of all the new information and theories generated by proliferating new scientific research projects. In every discipline stable certitudes are challenged by new findings and paradigms shift at a prodigious rate. Constant adjustments and mental revisioning are necessary to assimilate everchanging models of reality. For instance, what is the current take on the age and origin of *Homo sapiens*, the nature of quarks, or neutrinos? Other unsettling revisions of our understanding of the brain and body's functioning produce contradictory advice on maintaining health.

A scientifically literate person is forced to exercise a judicious open-mindedness to assess the claims and research evidence for the acceptance of new theories. Unfortunately, the tentative openness of an educated approach to knowledge can easily turn into popular gullibility. Many who eagerly accept the *content* of new scientific research have not assimilated the need for rational doubt and critical testing that characterize scientific methods of reasoning. So who knows, ask true believers, maybe we just haven't yet found the right way to prove UFO abductions? At this very moment aliens may move among us in disguise. Haven't we seen or heard about it on TV?

We could, no doubt, fill the pages of *Commonweal* by holding a contest for the most outrageous irrational idea recently encountered in the popular media. And to ensure an equal-opportunity search, we would have to have special categories for nonsensical academic ideas, the most inane New Age spirituality, or some excess of alternative medicine. To bring the hunt even closer to home, we should attend to some of the unnoticed magical elements we accept in our own middle-class professional lives. The marketing invasion of the household by technological marvels, courtesy of modern science, can also contribute to superstitious proclivities.

When I hear of how modern man (or persons) live in a demystified, dead, technological world emptied of the magical presence of spirits, I demur. Surely few aboriginal tribesmen (or tribespersons) could experience as many invisible powers and mysterious forces as I do. When I walk around my house, especially at night, I meet a thousand points of light. Many of these are giving off signals with green or red flashes—the microwave, the oven, the answering machine, the digital clocks, the curling iron, the radios, the computers (his and hers), the two printers, the two Xerox machines, the video players, the cellular phones—etc., etc. Many sounds pervade the atmosphere bringing other messages. The house is alive with the sound of music and other beckoning noise: bells ring, beepers beep, faxes ping, icemakers plunk, a multitude of hums, thumps, whirrings, and flushings produce hot and cold air, water and steam. In the kitchen, grinding, chopping, mixing, shredding, and whistling noises may rend the air.

Many of these sounds and lights start, stop, and change at the touch of little black oblong boxes or amulets lying around the house. Other medium-sized, boxlike devices can be aimed at people and proceed to focus light, ping, flash, and produce pictures that roll out into your hand. (If modern cameras steal your soul, they do it instantly.) Other slightly larger rectangular boxes are split in two and open up to produce illuminated blue screens upon which messages can be created or come from afar. Even bigger boxes and screens bring into the house moving, talking, colored pictures—summoned from out of the air. And these technological genies, djinns, and guardian spirits are all present in

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one seven-room apartment. Many more magical effects can be encountered outside in cars, planes, airports, office buildings, streets, stores, factories, and hospitals. God help you when you are subject to the ominous rites, lights, screens, and intravenous tubes found in hospitals.

Now wait a minute, say certain critics in my family circle unattuned to the magical properties of life. You shouldn't call these examples of modern scientific technology "magical" or say they encourage "superstition." After all, in contrast to primitive people, we rationally understand how all these things work.

"Oh," I reply, "do we really?" Maybe once we could confidently comprehend levers, bicycles, or even in my case the pedal sewing machine upon which I learned to sew, but how many people understand their own fax and computer systems, much less the viruses that can infect them? Everyone I know is regularly reduced to helplessness by the breakdown, malfunctioning, or bugs that damage the operations of the complex technology that surrounds us. As far as I can see, our high-tech lives produce a frustration level that leads to nagging annoyance and anxious dependence. Hours and hours are spent mastering new programs, decoding complex instructions, and diagnosing new problems. All devices must regularly be taken back to the store to be repaired or exchanged, and inevitably they must be updated and replaced. Expensive, expert consultants—the modern equivalents of shamans and medicine men—must be called in to deal with difficulty after difficulty. Grown men and women are reduced to tears and placating invocations or curses.

Let's face it. Even when indispensable and useful, these new tools of scientific control lead to new forms of bondage and helplessness. And in these conditions, superstition breeds. If we are not going to fall into mindless gullibility or retreat to a desert hermitage, we will have to develop new forms of reasoned critiques of scientific technology complete with appreciative detachment. And with this pious hope I will now save, revise, format, print, and fax this column off to the editors who wait for it in an office thirty miles away. □

OF SEVERAL MINDS

E.J. DIONNE, Jr.

MR. CLEAN GETS SOILED

Gore & campaign finances

Poor Al Gore. He had spent his political life as the good and solid Mr. Clean, too boring to be scandalous. All those jokes Gore would tell about his stiffness reflected his political shrewdness. Whenever President Bill Clinton's rating on the scandal meter shot up, there was Gore, reminding voters that he was too clunky to be slick, too straight to be corrupt. His anthem for the last six years: It's hip to be square. For much of the administration's tenure, his ratings were higher than the president's.

The vice-president was also loyal, and his loyalty has now shattered the image of painful earnestness, so painstakingly built. Clinton asked Gore to help. Gore was there, raising money at that Buddhist temple. He was there, making those calls to rich donors from his office.

Now, he seems even more threatened by the fund-raising mess than Clinton. If the Democratic National Committee funneled some of the money Gore raised to the wrong accounts, he may face an independent counsel's investigation. Such investigations seem to take forever, forever in this case meaning up to and perhaps including the presidential year 2000.

On the fund-raising matter, Gore's proud clunkiness did not serve him well. The man who had hoped to be associated with the slogan "reinventing government" is now forever chained to the phrase "no controlling legal authority," his mantra for the fact that no court ever ruled on the legality of what he did in the process of raising political money.

How people react to Gore's problem depends on where they stand on Gore. For Gore fans, this case is a tragedy. A fundamentally honest guy—no one would confuse him with Boss Tweed—Al Gore responds to the political imperatives of the moment and to legal advice that says he is responding within the bounds of the muddy campaign-finance statutes. Did he do anything so different from what Republicans did before him?

Gore's critics say his sanctimoniousness disguises a political ambition that does what political ambition demands. If Democrats played loose with the law in 1996, and if Gore went along, he deserves what he's getting—especially since there have been subtle changes in his story as more facts became public. If Al Gore were Newt Gingrich, this argument goes, the world would already be caving in on him.

No one knows which way this story will go. The two obvious facts are the tawdriness of the 1996 fund raising and the weirdness of campaign-finance laws that seem to allow certain kinds of big money fund raising while prohibiting others. This is one of many reasons why the campaign laws need to be reformed, tightened, and clarified.

But let's assume, for the sake of argument, that Gore is battered politically but not legally. What does this do to the campaign for the next Democratic nomination? The surprise: It could do the Democrats a world of good—and not just because they will be forced to clean up their fund raising.

The Democrats are in a muddle over who they are. Clinton has been very successful in containing the Republicans and in establishing the Democrats as a good defensive party—they will defend what's left of the achievements of the New Deal and the parts of the Great Society (that is, Medicare and

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Medicaid) that are still popular.

But if they're to play more than defense, Democrats need a big argument about the affirmative uses of government. Gore's current weakness makes that debate more likely. Already, Gore looks to be challenged by House Democratic Leader Richard Gephardt, Senator Paul Wellstone, the liberal firebrand from Minnesota, and possibly Senator Bob Kerrey of Nebraska.

The more open the nomination looks, the more likely former Senator Bill Bradley of New Jersey is to run. Bradley could be especially useful to the debate. He has a moderate demeanor but asks radical questions about how the economy distributes its rewards and how the political system works (or doesn't).

Gore would prefer to have little challenge. Tough primaries often lead to defeat. But now that Gore has been tainted by the finance scandals, he will be forced to make his candidacy about something bigger than four more years of Clinton prosperity. The good news in this for the country is that the current torpor in the political debate will end—and that will be true in both parties.

All this assumes that Gore is right about what the controlling legal authority—her name is now Attorney General Janet Reno—has to say about his fund raising and the need for a special counsel. □

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Victor Ferkiss

THE FBI COMES CALLING

My encounter with the Unabomber

When Ted Kaczinski goes to trial this November, I will take a personal interest in the proceedings. Why? My concern began back in the summer of 1995. I was basking in the New Mexico sun in blissful retirement, minding my own business, when out of nowhere I received a startling telephone call from the Albuquerque field office of the FBI. Would I be willing to talk to an agent about the Unabomber?

Come on over.

A few hours later, the agent arrived at my door. He presented me with a copy of the Unabomber's manifesto, which was not yet public. It was a facsimile of the original communication, complete with typos and tics, which the FBI and other agencies were furiously screening for clues about its origins, physical and intellectual. Would I be willing to read it and to talk to him a week later about my reactions? Sure. Would I be willing to attend a conference in San Francisco in several weeks to discuss it with others? Yes: I was intrigued by the idea of a detective story in which the clues were ideas.

The agent then asked me a series of prepared questions, most of which were quite specific. As a professor, had I ever used this or that book in class? He couldn't help smiling when he came to *The Future of Technological Civilization* by Victor Ferkiss. In leaving, he made me promise to read the manifesto within the week and to keep this whole matter as quiet as possible. I read it immediately, of course, partly in search of any mention of me or my book. But in vain.

Two days later, the phone rang again, and this time it was Joel Achenbach of the *Washington Post* who wanted to know what I thought of the manifesto. So much for secrecy! When Achenbach's story appeared on the front page of the *Post* a few days later, I was quoted, accurately but not by name, to the effect that, though I agreed with much of the substance of the Unabomber's diagnosis of the ills of modern industrial society, I thought his suggested cure—its destruction by force—was way off base, to put it mildly.

The conference, held at a posh hotel, mustered only a half dozen academics and writers, far outnumbered by the members of the Unabomb Task Force, a hundred or so agents from the FBI, the Postal Service, and the Bureau of Alcohol, Tobacco, and Firearms. The mystery of why I had been invited was soon dispelled. At the first morning session, the lead agent of the Postal Service told the assemblage that the Unabomber must be a great fan of Professor Ferkiss, since so much of the manifesto had apparently been cribbed from *The Future of Technological Civilization*. I perhaps should have been flattered that at least someone had read it and taken it seriously, but in the circumstances I managed to suppress any possible elation.

That same afternoon, a lead agent of the FBI distributed a four-page paper, listing, by chapter and verse, parallels in ideas, similar or identical terminology, and apparent paraphrases linking the manifesto and my book. My only "defense" was that the evidence was circumstantial; many of the items cited in the comparison were commonplaces in the literature on technology and society back in 1974 when my book appeared, and the Unabomber may have gotten them from some other, common source—something like the hypothetical "Q" gospel of many biblical scholars. Still, it did not make matters easy for me that the Unabomber's manifesto was entitled "Industrial Society and its Future," nor that a book the manifesto did quote, Eric Hoffer's once popular *The True Believer*, sits next to *The Future of Technological Civilization* on many libraries' shelves. Talk about guilt by association!

Though nothing much was said, I couldn't help feeling that the Task Force members were not persuaded by my explanation. The conference was polite in tone, but included a note of near desperation. The Unabomber had been killing people for ten years. The Task Force was costing more than $1 million per year to operate. Some of its leaders had put off retirement to nab this elusive terrorist. A million-dollar reward had been offered for information, but it had elicited no real leads, rather phone calls from women, each claiming that the Unabomber must be her husband. And though the manifesto seemed at times to speak on behalf of a group, the

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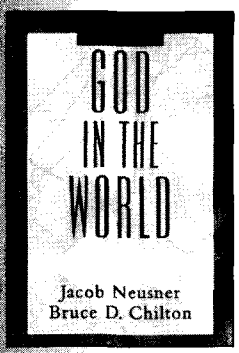

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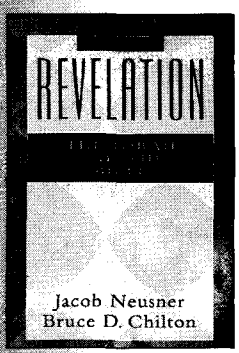

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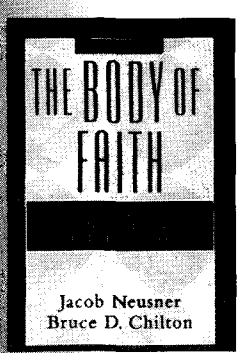

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Task Force members had become convinced that they were trying to catch a loner, an almost impossible task. So no wonder they were willing to grasp at straws.

Above all, they faced a dangerous deadline. The Unabomber had sent copies of the manifesto to the *Washington Post*, the *New York Times*, and Bob Guccione, publisher of *Penthouse*. If the manifesto were published in entirety, the Unabomber's accompanying notes seemed to imply, he would refrain from killing; but if not the bombing would resume. The agents asked us conferees what we thought should be done. Some felt that the manifesto should be published; that way, the Unabomber could be engaged in open dialogue and might betray himself. (It was taken for granted that the criminal was a man.) But others objected that publishing the manifesto would only play into his hands. So nothing was decided, and we were sent home with injunctions to keep the proceedings confidential. The agents also told us what we should do if we or our wives or secretaries received a suspicious package—just in case!

In the end, publication of the manifesto, pushed by Attorney General Janet Reno, did make a difference. Ted Kaczinski's brother read it, became suspicious, and led the FBI to make an arrest. In a conflict worthy of Greek tragedy, civic virtue triumphed over filial piety. Otherwise, the Task Force might still be looking, only not necessarily in the right places. If we presume that, as charged, Kaczinski is the Unabomber, he does not completely fit the Task Force's working profile, whatever the current claims. The Task Force was looking for someone far less educated, perhaps with some part-time graduate study, but nothing like a Berkeley assistant professor of mathematics. It was suspected he might be a skilled worker or technician with access to sophisticated tools, but not a mountain recluse. The Task Force assumed he lived in the San Francisco Bay area, from which the packages were usually mailed, but not the wilds of Montana. Lucky indeed.

Ted Kaczinski is accused of murder, not of heresy, and his forthcoming trial will turn primarily on the physical evidence. But the prosecution will be concerned not only with proving that he did in fact mail the bombs and write the manifesto; they will probably touch on his motivation as well. Where did he get his ideas? FBI agents, searching his cabin, found more than two hundred books, and he is known to have made use of the primitive local library and interlibrary loans. Among the books found in his cabin were a guide to the Bible by Isaac Asimov and *Les misérables* by Victor Hugo. There was also, I was relieved to learn, a copy of *Growing up Absurd* by the late social critic Paul Goodman; this could well form part of the "Q" source I suggested in my "defense" at the conference. But the FBI has not yet released a full inventory of the Unabomber's library, and I must follow the trial closely to see if *The Future of Technological Civilization* was among his collection. At this point, I am not at all sure what I hope the answer will be. □

Victor Ferkiss *taught government at Georgetown University and has been a frequent contributor to* Commonweal.

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THE VATICAN, THE BISHOPS, THE ACADEMY

If push comes to shove, nobody will budge

Paul C. Saunders

In April, the Vatican Congregation for Catholic Education unexpectedly returned to the American bishops, for a "second draft," the regulations that will govern the relationship between the hierarchy and U.S. Catholic colleges and universities (*see Commonweal*, June 20, 1997). Why were they returned? Not because the bishops and the congregation disagree on the nature of Catholic universities as a theoretical matter, but because they disagree about who is in charge. Who should decide whether the theology that is being taught is sufficiently orthodox? Who should discipline theologians who stray from what the hierarchy considers acceptable teaching? Should the local bishop or a lay board of trustees decide who may or may not receive an honorary degree? At present, the universities themselves make those decisions. The Vatican would like to change this.

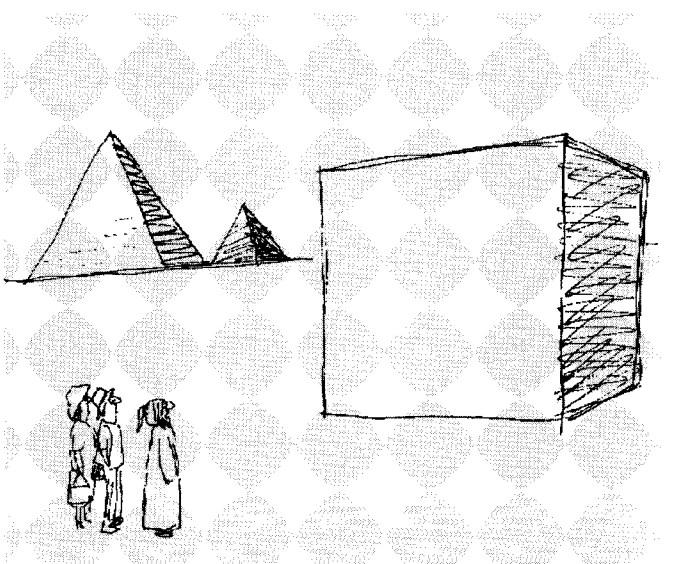
It may be that some American bishops would like to control their local Catholic colleges and universities, but most probably realize that in the United States that kind of ecclesiastical supervision over, say, Georgetown or Notre Dame, is beyond their competence. Many understand as well the consequences for Catholic academia, in terms of accreditation and prestige, of "outside" control. Further negotiations looking to a solution that will satisfy the Vatican, the U.S. bishops, and the schools (the presidents and their boards) are under way, but since both principles and pragmatism are in play, it is far from certain that tinkering with phraseology will avoid an impasse.

In his comments returning the bishops' document, Cardinal Pio Laghi, prefect of the congregation, referred to it as a "first draft," though the bishops probably hoped it was the last draft. In asking them to rewrite the ordinances, the cardinal wanted two points emphasized: First, that there should be a juridical relationship between the Catholic university and the church; and second, that professors of theology must receive a mandate to teach theology, the so-called canon 812 requirement.

Not surprisingly, these are the very two points that the bishops tried to elide in their "draft." The congregation rejected their attempt at nuance. For example, the bishops tried to downplay the troublesome canon 812 issue by dealing with it in a footnote: "The mandate of canon 812 will be the subject of further study." (Note that the bishops apparently could not bring themselves to say "the mandate required by canon 812.") Cardinal Laghi acknowledged that the study was under way, but said that "we hope that a solution will be found so as to have a full application of the canon incorporated in a second draft of the ordinances."

To understand why these points of disagreement are important and why they are unlikely to be resolved by mere wordsmithing, recall the Curran case. In 1986, the Holy See declared that the Reverend Charles Curran, then a tenured professor of theology at The Catholic University of America (CU), was no longer "suitable or eligible" to teach theology. Curran was teaching in the department of theology, which is a pontifical or "ecclesiastical" faculty at the university, empowered to award degrees recognized by the Vatican.

Such pontifical faculties are governed by *Sapientia christiana*, an apostolic constitution (1979) requiring that all professors who teach matters relating to "faith and morals" have a "canonical mission" from the local bishop. Of more sig-



"We haven't quite got the bugs out of this one yet."

Paul C. Saunders *is a partner at Cravath, Swaine & Moore and a former trustee of Fordham University. He served as counsel to Charles Curran in* Curran *v.* The Catholic University of America.

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nificance to this discussion, it also requires universities with such faculties to adopt bylaws that make the provisions of *Sapientia* binding. Once the requirement for a canonical mission is contained in the governing statutes of the university, it becomes an implicit condition in the tenure contracts with those professors and is legally enforceable by U.S. courts.

Removing Curran's canonical mission only prohibited him from teaching in the pontifical faculties at CU because only those faculties had a canonical mission requirement. In order to keep Curran from teaching in other, nonpontifical faculties, the university's board of trustees passed a resolution stating that there was a special relationship between the university and the church and that the university considered itself bound "as a matter of canon law and religious conviction" by a definitive declaration of the pope—in this case, an edict declaring Curran ineligible to teach theology—even if it had consequences outside the pontifical faculties. That resolution kept Curran from teaching theology anywhere in the university and, in effect, put the entire university under the control of the Vatican. It was legally significant that the resolution came from the university itself; civil law would not have recognized a resolution imposed from outside the university.

Curran sued for breach of contract, claiming that as a tenured professor, he had certain rights to academic freedom pursuant to which only his academic peers could judge the competency of his work. Recalling the famous phrase from the 1967 Land O'Lakes Statement, Curran argued that no authority "lay or cleric, external to the academic community" could interfere with his right to academic freedom. But the Washington, D.C., Superior Court concluded that CU was within its rights to prohibit Curran from teaching in a pontifical faculty because he had lost the canonical mission that the university's amended bylaws required. Those bylaws applied to Curran even though they were passed more than a decade after he received tenure. Further, because CU's trustees claimed a "special relationship" with the Holy See, they were within their rights to prohibit Curran from teaching theology anywhere else in the university once the pope declared him ineligible. The court held that it was not that *Sapientia christiana* required a canonical mission that was of significance, but the fact that the university had incorporated the requirement in its bylaws. The bylaws were included in the faculty handbook, which the court decided was a part of Curran's contract and, although most contract terms are fixed at the time the contract is made, the court held that a professor's contract with a university is different. Thus, even if the requirement of a canonical mission did not exist at the time Curran received tenure, "the parties...knew that the ecclesiastical faculties were different from the rest of the university...that these faculties are governed by an apostolic constitution...and that the Holy See might change the requirements for those faculties at any time, imposing on the university an obligation to accommodate such changes or risk losing the authority to confer ecclesiastical degrees."

The court continued, "as much as [Curran] may have wished it otherwise, he could not reasonably have expected that the university would defy a definitive judgment of the Holy See that he was 'unsuitable' and 'ineligible' to teach Catholic theology. Whether or not the university is correct that it was obligated to accept the declaration of the Holy See as a matter of canon law, it was surely bound to do so as a matter of religious conviction and pursuant to its long-standing, unique, and freely chosen special relationship with the Holy See."

Consider the precedent the court established in the Curran case. Any university that modifies its bylaws or its mission statement to claim a special juridical relationship with the church or that requires its theology professors to possess a mandate from the local bishop will have that relationship and that obligation not only recognized but enforced by civil courts. This is because in the eyes of the law an apostolic constitution that governs pontifical faculties and requires a canonical mission is functionally identical with an apostolic constitution that governs all other Catholic universities and requires a mandate. Once any Catholic university, even a nonpontifical one, freely chooses in its bylaws to be governed by an apostolic constitution, it is more than likely that an American court would enforce that choice, just as the Washington, D.C., Superior Court did in the Curran case. Put differently, the court's analysis of the nonpontifical faculties at CU did not depend on the fact that the university also had pontifical faculties.

What is the lesson of this for the current debate? It is simply that, though the U.S. bishops and the Vatican continue to negotiate over the ordinances required by *Ex corde*, these cannot be implemented at any particular university unless the university's board of trustees does something affirmative, most likely by changing the university's bylaws. The Congregation for Catholic Education undoubtedly knows this, and that is precisely why it insists on a formulation of the ordinances for the United States that requires, as *Ex corde* itself does, that universities that wish to call themselves "Catholic" must recognize a juridical relationship between the university and the church "by a formal constitutive bond or by an institutional commitment." This is the core of the matter.

Where can the dispute go from here? There are three possible ways in which it can be resolved. First, the Vatican could relent and grant American Catholic universities a special dispensation from the strictest provisions of *Ex corde*. Second, American Catholic universities could reverse their quarter-century experiment with independence and accept *Ex corde* as binding on them. Or third, neither will give in.

Note that I did not list as one of the possibilities that the American bishops' drafting committee will accept the Vatican's criticisms and modify the ordinances. While that may happen, it would be largely irrelevant: Under American law,

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the only way either *Ex corde* or the American ordinances can be applied in a legally binding way is for the universities themselves to do it. The bishops cannot.

Will the Vatican relent? That is not likely. The church's position has been consistent for four hundred years. The Council of Trent obliged local bishops to insure orthodoxy in Catholic universities. Each bishop had the obligation to insure that "universities accept in full the canons and decrees of this holy council and that the masters, doctors, and others in the same universities teach and interpret the Catholic faith according to the directions of these canons and decrees." In recent times, academics, especially those in the United States, came to believe that the church's position had softened. But it has not. The Land O'Lakes Statement of 1967 calling for academic freedom and the autonomy of the university was a declaration by academics; the bishops never endorsed it.

Nor was a similar text, approved by the International Federation of Catholic Universities in 1972, "The Catholic University in the Modern World," given more than a lukewarm endorsement by the Congregation for Catholic Education. A plenary assembly of the congregation in 1973, consisting of thirty-seven cardinals and bishops, approved the document as "valid but needing improvement." In particular, the document was not sufficiently explicit on the "necessity for every Catholic university to set out formally and without equivocation, either in its statutes or in some other internal document, its character and commitment as 'Catholic.'"

Ten years later, the 1983 Code of Canon Law specified, in canon 810, that it was the responsibility of the competent ecclesiastical authority to "provide for the appointment of teachers to Catholic universities who besides their scientific and pedagogical suitability are also outstanding in their integrity of doctrine and probity of life" and that when those qualities are missing, the teachers are to be removed. Canon 810 also provided that the bishops had the "right and duty of being vigilant that in these universities the principles of Catholic doctrine are faithfully observed." Canon 812, which in its draft form "raised a storm of opposition" in North America, according to CU professor of canon law James Coriden, required that "those who teach theological disciplines in any institute of higher studies have a mandate from the competent ecclesiastical authority."

Under American law, the only way either* Ex corde *or the American ordinances can be applied in a legally binding way is for the universities themselves to do it. The bishops cannot.

In 1985, the Congregation for Catholic Education issued a document known colloquially as the "*schema*," which set forth the need for Vatican control over all Catholic universities. The *schema* clearly reestablished control of Catholic universities under the auspices of the local ordinary. "Reestablished" may in fact be the wrong word; there is considerable evidence that the Vatican believed that the local ordinary had rights and obligations with respect to Catholic universities all along and that Rome had never endorsed the "laicization" of those universities that took place in the 1960s. Because of the criticisms of the *schema*, the Vatican announced that it was merely a "discussion draft" and that a revised version would be forthcoming, taking into account as much as possible the comments that had been received. Another draft was published, and there was consultation with American bishops and educators; nonetheless the final version, now called *Ex corde ecclesiae* (1990), was remarkably similar to the original "*schema*."

Ex corde does call for implementing ordinances to take account of local conditions. The U.S. Catholic academic community expected that those ordinances would recognize that in this country, all true universities, even Catholic ones, must recognize academic freedom.They thought they could reconcile that principle with *Ex corde*. Cardinal Laghi's recent letter makes it quite clear that there will be no compromise from the essentials of *Ex corde* and canon 812.

This should not come as a surprise, since Cardinal Laghi said very much the same thing in his talk to the Association of Catholic Colleges and Universities in Saint Paul, Minnesota in August 1995. "It would be impossible for the university to remain Catholic...if it were to lack this [juridical] relationship with the institutional church" (*Origins*, August 24, 1995). The Vatican has not changed its fundamental position. It wants a juridical relationship.

Will the U.S. Catholic universities relent? That is equally unlikely. Since the late sixties, those universities have been independent of the hierarchy and under the control of lay trustees. They are flourishing. They have dramatically improved their academic standing and the best of them are in the same league with their non-Catholic counterparts. They have found ways of successfully incorporating their Catholicity into their programs; to make themselves different from, and, some would argue, better than, other universities; and, because they guarantee academic freedom, they are attracting first-rate faculty. To be sure, at least one, The Catholic University of America, has gone backwards—to reestablish Vatican control—but the damage done by that decision to its academic standing is still being assessed. Furthermore, most of the American Catholic universities are financially independent from the Catholic church, the most notable exception again being CU.

At least since the late sixties, American Catholic universities have been quite consistent and vocal about the importance of their independence and the danger that any juridical bond with the hierarchy would create. As the Association of Catholic Colleges and Universities put it:

"The very life of our colleges and universities...is one of academic freedom and self-regulation by the academic com-

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munity. Within this structure, our 235 Catholic institutions of higher learning have flourished and, in our opinion, any attempt to subvert this independence would result in diminishment of their influence on the total higher education community and, ultimately, in their being excluded from that community of teachers and scholars."

The presidents of fourteen leading American Catholic universities, including Joseph O'Hare, S.J., Donald Monan, S.J., and Theodore Hesburgh, C.S.C., have said the same thing: "One of the most important values to be protected in an authentic university is academic freedom. If theology is to be granted the same academic integrity of other disciplines, theologians must also enjoy authentic academic freedom."

It is hard to imagine a well-informed board of trustees of one of those universities voting to allow the local ordinary to exercise any measure of control over it. As Peter Steinfels put it, "You can't go home again. A return to the past is neither desirable nor possible..." (*Origins*, August 24, 1995).

Before the current dispute, some American Catholic academics believed that the Vatican was comfortable with their independence. Because of its broad acceptance in the academic community, the Land O'Lakes Statement was seen as a Magna Carta for Catholic universities in the United States, and many university leaders believed that it represented a final and definitive articulation of the relationship between Catholic universities and the Catholic church in the United States. This, along with the appointment of lay-dominated boards, which seemed to guarantee the university's autonomy and academic freedom, appeared to have the acceptance of the hierarchy. Even after the first appearance of the "*schema*," American Catholic academics believed that a way would be found to reconcile their independence with the document. But so far the Vatican has not backed down.

What about the American bishops? To their credit, they have tried hard to forge a compromise that all could live with. Even though the Vatican is signaling that it will not compromise, the bishops will no doubt keep trying. Whether they will succeed remains to be seen, but it looks more and more as if they will not.

Have we reached an impasse? Given the fundamental disagreement between the American bishops (who are being actively encouraged by American Catholic university presidents) and the Congregation for Catholic Education, it is unlikely that *Ex corde* will be implemented in the United States any time soon, if ever. In fact, even if the American drafting committee, a key subcommittee of which is now headed by Cardinal Anthony J. Bevilacqua, were to accept Cardinal Laghi's changes, it is even more unlikely that any Catholic university that wishes to remain a true university in the modern American context will elect voluntarily to adopt *Ex corde ecclesiae*. As Joseph O'Hare, president of Fordham University, asks, "If a Catholic university is to be 'part of' the church, in the sense that it is subject to the ecclesiastical jurisdiction of the hierarchy, then can it really be an authentic university?"

What will happen? Of course nobody knows. One likely outcome, hinted at in Cardinal Laghi's 1995 talk, is a declaration that universities that refuse to accept *Ex corde ecclesiae* may no longer call themselves "Catholic" or "officially Catholic." As Laghi put it, "without a bond of communion with the hierarchy, an institution cannot bear the name Catholic." But will it remain Catholic, nonetheless?

This scenario is hardly out of the question. Being independent and participating in the Catholic tradition has worked. Joseph Komanchak sketched such a scenario—what might be called the "*Commonweal*" solution—in an essay "The Catholic University in the Church" (*Catholic Universities in Church and Society: A Dialogue on Ex Corde Ecclesiae*, Georgetown University Press, 1993). Colleges and universities could continue to see themselves as Catholic "by inspiration" and operating "in the Catholic tradition," while the hierarchy could point out that they are not "officially" Catholic or, perhaps, that they were not "Catholic" at all.

Here is where the American bishops can stand up for their Catholic universities and can support them in their attempt to remain Catholic without a juridical bond to the hierarchy. To do so would require great patience, understanding, and charity on both sides. Whether in the end that model works for universities as well as many of us think it does for magazines is anybody's guess, but it seems the best solution and remains the most likely outcome. □

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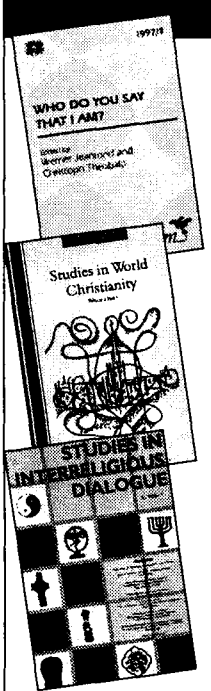

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Margaret O'Brien Steinfels

BEING CATHOLIC

A college president speaks

What are Catholic colleges doing about their Catholic identity? How will they react to the Vatican's insistence on a juridical relationship between school and local bishop? Commonweal *asked Frank Macchiarola, lawyer, professor, civic figure, and president of Saint Francis College, Brooklyn (and a 1962 graduate). Macchiarola became president in 1996 after thirty years in academic posts at City University of New York, Columbia University, and the Benjamin Cardozo School of Law, Yeshiva University. He also served as chancellor of the New York public school system from 1978-83. Lively, articulate, and candid, Macchiarola launched immediately into answers to these questions during an interview on September 5 in his campus office in downtown Brooklyn.*

■ **FRANK MACCHIAROLA:** When I came back to Saint Francis a year ago a couple of things struck me. One was that the Catholic nature of the institution had an overlay of civil law that defined it: Legally speaking, we are not Catholic. Even so, I found everybody here thought of us as being Catholic, though they may have defined what that meant differently from one another. For a long period of time, there had been no effort to give attention to that definition. Because I really believe this is an institution of the church, I began to look at my role. How could I find ways to define our mission that made sense to the people here?

When I looked at external forces that intruded into the college, I saw the National Collegiate Athletic Association (NCAA) rules that examined high school English courses taken by some of our foreign students. I looked at the number of athletic scholarships we could award within the city of New York because of the NCAA regulations on the residence of students receiving scholarship. The State Education Department certifies the credentials of our faculty: If we want a course or a major, what degrees are required, in what field, what sub-field? What does a chairman of a Department of Aviation Management need for a Ph.D. when there is no Ph.D. in the field? All these regulations are given to us by the NCAA, the State of New York, and the Middle States Association, our accreditation body.

In all of this, I never received a single word from the church, from the bishop, that wasn't positive. There was a desire to help us in our liturgy, help us with events that we were having. We needed a church for the opening Mass. Whatever you want, Frank, no problem, no charge. That was the attitude of the bishop. The desire to help us is the only thing I've heard from the church.

Then I see this juridical discussion around *Ex corde ecclesiae*. From my standpoint, it's a distraction. If I spent my time trying to figure out what that meant, I would spend less time figuring out what it means to be a Catholic college. For example, can we have crosses up in the classrooms? Well, my answer to that is, yes. We put up the Franciscan cross of San Damiano. This is a Franciscan college. We should have reference to the namesake of the college.

How should we shape our financial-aid package? How should we look at students who can't pay their bills? We're letting a lot of students who couldn't make payment come to class on the basis that they will make those payments at some point in time. We're not a grocery store. That's what a Franciscan college should be about: to serve the poor.

The juridical stuff gets in the way of all of that. I respect the bishop; the bishop and I get along. He doesn't want to hurt this college. He wants this college to grow. If there's one thing that's missing in this world, it's a sense of faith. And if we're going to have to pass the definition of faith through a distillate that's legalistic and juridical, we're going to miss the faith. I don't want to be distracted by that.

▒ **MARGARET O'BRIEN STEINFELS:** If a juridical requirement becomes part of the norms, do you think Americans would feel duty-bound to observe it?

■ **MACCHIAROLA:** If the church were to impose certain rules, which incidentally I think it can't, it wouldn't work. American Catholics are not inclined to carry out the rules any longer. There is no inclination on the part of religious people to see religious belief in the organizational way that a bureaucracy would like to see it.

What do I say to people when they face these questions: Make believe you're getting this message not by fax, but by courier. Make believe it takes a while. Let conscience be part of what you do. And with *Ex corde ecclesiae*, let conscience play a role. Let time have its effect on the people who are here now. They are not the people who will be here ten years from now.

▒ **STEINFELS:** What, in fact, if the norms finally require a juridical relationship with the bishop? What would you recommend to your own board?

■ **MACCHIAROLA:** Well, one of the good things about being Saint Francis College is you know you're not the first!

▒ **STEINFELS:** You may be among the first in Brooklyn.

■ **MACCHIAROLA:** Our board of trustees is juridically independent. That's the starting point. So the question would be: What would someone want us to do in order to qualify to be defined by *them* as Catholic? The discourse starts on the other side. Somebody has to come to me and say, in order to get the following—be accredited as a Catholic college....

▒ **STEINFELS:** It might be pretty simple. They'll just say if you want to call yourself a Catholic college, you incorporate these norms into your bylaws.

■ **MACCHIAROLA:** What number of Catholic colleges that now identify themselves as Catholic would say yes to that? I venture to say it would be a small number. There has been a long period of time in which that juridical authority hasn't been exercised. So you're starting with an effort that will

Margaret O'Brien Steinfels *is the editor of* Commonweal.

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not necessarily lead to success. For us, it doesn't even raise a problem in terms of academic freedom. We don't have a theology department here. Why would anyone insist that we...

STEINFELS: But you have a religious studies department.

MACCHIAROLA: Yes, but the woman who chairs that department isn't Catholic. We do teach a course in Catholic theology. Our philosophy department is traditional. We think of ourselves as being part of the Catholic tradition. In fact, our mission statement talks about both our Catholic and Franciscan traditions. We do feel committed to the church. But the institution itself hasn't been formally connected in many years.

STEINFELS: Is it then voluntary? Is this what the situation has evolved into? Schools once felt connected directly to the church through the religious communities that organized them—the Franciscans, the Jesuits—that was the "juridical" relationship.

MACCHIAROLA: The Franciscans are here by their own choice. They don't own the school. There are a number of Franciscan trustees and a number on our faculty. I am trying to grow that number. What was important was to support the work, the mission of the the Franciscans: working with the poor. If you want to work in the Franciscan tradition come and work with youngsters who need your support. That's the part that's making the college more Catholic.

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We also have a number of professors here who are not Catholic and if I felt that we had to impose on them, or to feel that they had to be "baptized," it wouldn't work. They are with us in spirit. We need their presence in our community.

STEINFELS: So you believe Catholic identity is not going to work unless it works from within.

MACCHIAROLA: It will never work if it is mandated. Most kids have not defined their connection to the church or to God in the traditional way that we did. I don't want to block any message of what the faith is by imposing on them regulations that haven't been part of their upbringing. I don't want their indifference to Sunday Mass attendance, for example, to be looked at as anti-Catholic or non-Catholic. It's something we've got to develop and nurture. You get the campus minister to get them involved and see what being Catholic means. The first step is not necessarily getting them to church. The first step is doing good works and seeing what the meaning of those good works is, and then at a certain point saying we need something to keep us going. What is it? We need liturgy, we need the Mass. We need the presence of the Holy Spirit.

STEINFELS: What does the school do about liturgy?

MACCHIAROLA: One of the new initiatives was Ash Wednesday. We put ashes on everybody. The fullest meaning of Ash Wednesday became clear. In the past it was ritual observed only by people who knew. Now all of sudden it's something for someone who had never experienced it. The brother in campus ministry prepared a whole presentation on what ashes meant. When we hung the San Damiano Cross in each and every classroom and in all of the public rooms, we had a number of public events, lectures about what the cross meant. When I was inaugurated, we had the opening Mass at the Cathedral of Saint James. The coaches brought the kids. The church was packed. We did the closing Mass at Our Lady of Lebanon, which is Maronite Rite. We had a Mass for deceased alumni. Our sports dinner opened with a Mass. We present the opportunity for religion on campus. It is the presence of liturgy and the fact that liturgy means something to us.

STEINFELS: Sounds great.

MACCHIAROLA: I love it. When I was at Yeshiva, I always felt I was doing what I was supposed to do as a Catholic in a Jewish environment that supported religion. It was a wonderful preparation for coming back to Saint Francis College because I very much felt I was being who I was.

In life you're either a policeman or a social worker. I am a social worker. I keep telling people we can't stop doing good because there are people who take advantage of us. We do good because we are required to do good. That is our obligation. We're not being nice. We're not being liberal. We're not being tolerant. We're being who we are. Who we are requires us to do that. It's a two-step process. First decide who you are and then you have to act in consistency with that. As an institution we have to internalize that. We have to promote that. □

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Richard Alleva

OFF DUTY

'Cop Land'

When a melodrama really works, no one, not even a critic, sits around grousing about its lack of psychology, sociology, or sentiment. Who would trade the delicious rot of *Chinatown* for an in-depth study of incest? Or insist that the noose-tightening power of *In the Line of Fire* is worth less than the windy speculations of Oliver Stone's *JFK*? Good melodrama has a poetry of its own.

But when a melodrama doesn't quite work, yet has something of value in it, there may seem to be another movie, a better movie, perhaps even a non-melodramatic movie looming up behind (and rebuking) the film you're watching. Such is the case with *Cop Land*.

James Mangold's script has an irresistible set-up. Some cops, sickened by their New York City beats, have settled their families into a tranquil New Jersey town. In fact, they are the town; practically everyone in sight is a cop or the spouse or child of one. Back and forth each workday these men go into or out of New York, but even when twilight finds them in their cosy ranch houses or in their for-cops-only bars, they've still got the city racketing in their skulls. Fights break out over beers and the cops go home to beat their wives (who are often sleeping with other cops).

The sheriff of this town, Freddy Heflin (Sylvester Stallone), may be a law officer but he knows he's not a real cop. Cops bust criminals; Freddy hands out speeding tickets to tourists on their way to the Big Apple. Unable to join the N.Y.P.D. because of partial deafness, he drinks with cops, tries to break up their fights, sees the girl he's always pined for (the very she for whom he sacrificed his hearing while rescuing her) marry a cop, and witnesses small-town delinquencies, marital problems, feuds. No matter how rowdily the off-duty cops behave, Freddy regards them as heroes; no matter how tolerable they find Freddy, they can't think of him as anything other than a big boy at best, at worst a lumbering clown.

Writer-director Mangold does his own evocative material intermittent justice. There are some clever strokes, such as the way a big-time cover-up in the big city is paralleled by Freddy's two-bit concealment of his own drunk driving. And the acting is generally good, though a spectacular trio of actresses—Janeane Garafalo, Cathy Moriarty, Annabella Sciorra—can do no more than fill out sketchy roles. Sylvester Stallone's Second Coming turns out to be...not bad at all. Paunched up and more sad-eyed than ever, he is sufficiently pathetic slumped against a bar and, for some heroics in the last reel, he's only as heroic as Freddy would be—no Ramboesque invulnerability but just a good man driven to his limits. But the best performance by far is Harvey Keitel's as the unofficial mayor of the town. No one plays an-ulcer-waiting-to-happen better than Keitel. All the resentment of underappreciated, underpaid cops and sensation-hungry press, seems to be coagu-

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lating somewhere between Keitel's hunched shoulders as he stares down at his beer glass and snarls at his chums. A limited but powerful player, Keitel has spent half his career playing angry lawmen. This performance is the actor's *ne plus ultra*.

But it takes more than effective acting and slick direction to produce a first-rate movie. A good filmmaker knows where the heart of his material is, and I'm not sure that Mangold does. He has invented a big conspiracy to energize his story, but I think it's the wrong sort of energy. Freddy discovers not only that some cops have come up with the money for their homes by winking at big-city drug dealing but they've also concealed the whereabouts of a young patrolman whose shooting of some criminals could be interpreted as vigilantism. The latter crime is supposed to uncover the former but there's no real connection between the two, and the fugitive cop could have been easily cleared merely by examining his bullet-ridden tires and finding a certain shotgun. Mangold is so eager to turn his movie into *High Noon* that he cynically manipulates his own story. Just when Freddy is about to cooperate with Internal Affairs, the case is shut down by New York's mayor, who has been suborned by drug kingpins. (Take that, Giuliani!) So only by taking matters into his own hands can Freddy achieve justice. And this one-man-strike is connived at by the frustrated Internal Affairs investigator. Had the gentleman never heard of the *New York Times* and the time-honored American traditions of whistleblowing and news leaks?

Implausibility leads to implausibility. At several points in the action, it would benefit the corrupt cops to murder Freddy, but these villains, who don't hesitate to murder their fellow officers to conceal evidence, are perfectly content to warn the sheriff off. Why such restraint from such desperadoes? Again, it's dramatic cynicism, and it keeps Mangold from pursuing the deeper implications of his own story. And what would those be?

At the conclusion of this movie we are meant to believe that the town has been morally cleansed because a few corrupt cops are gone while all the rest—honest men and true—can live in peace. But about those honest men? Surely the real, bleak vision of *Cop Land* resides precisely with those honest cops who are kept entirely off screen. Do not honest policemen occasionally have to use violence in the performance of their duties? And cannot just force sometimes corrode as surely as the unjust use of it? In *Cop Land* all the adulterers, wife-beaters, and barroom brawlers also seem to be in on the drug conspiracy that Freddy explodes. But suppose they weren't? Don't some honest cops beat their wives? And couldn't honest cops, even in the bucolic bliss of some small New Jersey town, find that violence and corruption have infiltrated their hearts, disrupted their peace, shattered their families? This is the substance of the great, phantom, unmade *Cop Land* hovering behind the fatally flawed, though fairly entertaining *Cop Land* now playing. □

MALCOLM MUGGERIDGE

A BIOGRAPHY

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Paradise illuminated

A History of Heaven
The Singing Silence
Jeffrey Burton Russell
Princeton University Press, $24.95, 220 pp.

Sara Maitland

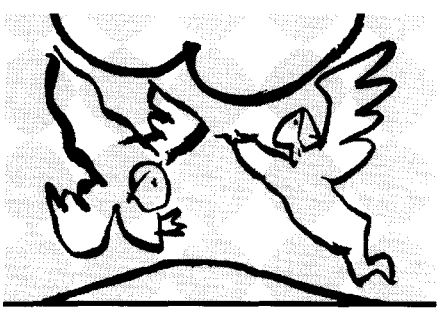
Sometimes when I pick up a book I find I have already formed an arbitrary notion of what it is about. When this notion proves incorrect I suffer from an irritated disappointment which gets between me and the author's real intentions and achievements. *A History of Heaven* had this effect on me, and my irritation was not entirely arbitrary; the book has the wrong title. Call a book something bold, and at the same time as profoundly paradoxical as *A History of Heaven* (since one thing that eternity simply *cannot* have is a history), and I think that any reader is doomed to frustration on discovering that the book ends in the early fourteenth century and (apart from a background nod in the direction of Judaism and Islam) deals only with Christian concepts. The book is not a history of heaven, it is a background study to the third book of Dante's *Divine Comedy*.

Russell sort of acknowledges the problem by saying in his preface that he sees *A History of Heaven* as a "prolegomenon to a detailed, multivolume study of heaven"; and by slipping a justification for his premature ending to his survey into the opening of chapter 13: "The *Paradiso* of Dante Alighieri (1265–1321) is the most sublime portrait of heaven from the Book of Revelation to the present. I conclude this history of heaven with Dante, because beyond Dante no merely human word has gone."

I've labored this point a bit because I think it is important. The expectations which the title sets up put particular demands on the reader—for instance, anticipating a far longer sweep, the opening half of the book feels awkwardly paced and over-detailed.

All this is a particular pity because what Russell has done is quite remarkable: He has produced a detailed, scholarly work which is alive with passion and poetry. This is a book about joy. It is also a book grounded in the particular, and in a clear acceptance of the mystery at the heart of Russell's research enterprise. "Heaven itself," he writes, "cannot be described, but the human concept of heaven can be." Russell clearly believes in heaven and is unashamed of saying so. This sort of commitment, strong enough to dance on the page, is rare among academics (and particularly, I have to say, theologians) and delightful.

Once I had disciplined myself to accept that my expectations were not going to be met, I had a wonderful time reading this book. Russell, it seems to me, is particularly good at explaining mindsets radically different from our own, and in creating a functional vocabulary to address this material. The earlier traditional Jewish and Christian understanding of "literal" and "metaphorical" truths is *different* from ours. Russell's decision (and explanation of his decision) to avoid the word "literal" and replace it with "overt" and his development of the expression "metaphorical ontology" is helpful not just in reading his book but in understanding and decoding lots of pre-Enlightenment writing, particularly poetry and mystical texts.



It is impossible not to feel that Russell brings such care and clarity to his subject because he comes to it more as lover than as teacher; he is singing the delights of heaven. Like any engaged lover he wants to tell us *all* about it, and if sometimes this means a certain excess of detail at the expense of pace and analysis, one is carried along by the creativity of the writing and the underlying sense of the author's own enthusiastic delight.

Of course it is rather tricky to write a whole book demonstrating that it is impossible to say anything actual about your subject! But Russell's sense of paradox and tension helps him through. A careful balancing of a chronologically developing cultural history against the apophatic tradition (the spiritual approach which says we can know and say nothing whatever about the essential nature of God), rather wonderfully reflects what appears to be his personal conviction—we can't know and we must tell everything we do know.

I have not left much space, nor do I have the academic competence, to critique Russell's readings of the various theologians whose ideas he presents, but at this level the book carries an air of authority which enables even a lay reader like me to feel a reposed confidence in the guide. I did enormously enjoy and also learned a lot from this book. I just wish that either he had pushed on to more modern concepts of heaven, or had chosen a more accurate title. This would have allowed me easier access to the delights that Russell so joyously presents. □

Sara Maitland's *most recent book is* Angel Maker: The Collected Short Stories *(Henry Holt).*

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UNMAGICAL REALISM

News of a Kidnapping
Gabriel García Márquez; translated by Edith Grossman
Alfred A. Knopf, $25, 291 pp.

Joseph A. Page

Like the proverbial 800-pound gorilla, Nobel laureate Gabriel García Márquez can sit wherever he pleases, even if this means abandoning the field of Latin American fiction he has dominated since the publication of *One Hundred Years of Solitude* in 1967. So when he decided, as a personal favor to one of the victims, to write a nonfictional account of a series of drug-trafficking-related kidnappings in his native Colombia in 1990, there could be no doubt that his endeavor would find its way into print.

Unfortunately, neither the substantive content nor the literary qualities of *News of a Kidnapping* come near matching the dimensions of his generous impulse. The book takes as its subject an episode that will scarcely rate as a blip on the radar screen of Colombia's recent history. Moreover, the author's terse style recalls his early career as a journalist, and reflects a conscious choice to let the hostages tell their own stories without impressing upon them the stamp of the García Márquez imagination. (It is as though we were witnessing future Hall of Famer Greg Maddux work on the mound in a slow-pitch softball game.)

The narrative recounts how agents working for the country's most notorious drug dealer, Pablo Escobar, snatched nine Colombians and one German in four discreet operations between late August and early November of 1990, and held them as bargaining chips in negotiations between the authorities and the traffickers, with the latter doggedly determined to avoid the possibility of extradition to the United States. The Colombian government sought the peaceful surrender of the narco-kingpins, who in turn demanded assurances that they would serve prison terms in Colombia and that they and their families would be protected from violent reprisals.

Perhaps the most glaring weakness of the book is its failure to put these events in a perspective that would render them more comprehensible to readers unfamiliar with Colombia's tortured history. García Márquez was obviously writing for his compatriots, which makes inexcusable the failure of his American publisher to provide background information, a simple chronology, or even an index.

The state of near anarchy giving rise to the events described in *News of a Kidnapping* forms part of a complex layering of turbulence that has enveloped Colombia over the past half century. A political assassination in 1948 triggered an orgy of killing that lasted for more than a decade and claimed more lives than the American Civil War. This tragic convulsion, known simply as "*La Violencia*" ("The Violence"), combined undeclared warfare between the nation's two major political parties with blood feuds in the isolated communities of the mountainous interior, as well as with unvarnished banditry.

Just when some sort of peace was returning to Colombia, various Cuban-inspired guerrilla groups launched a series of bloody offensives, which in turn provoked extreme brutality on the part of security forces bent on annihilating them without regard for basic human rights.

The curse of violence then took a new and even deadlier turn as a result of the success of the nation's powerful cocaine-trafficking cartels that built an industry generating billions of dollars in income and spreading the rot of corruption throughout Colombian society. The narcotics peddlers resisted government efforts to eliminate them by murdering public officials, political candidates, judges, journalists, and innocent bystanders.

García Márquez makes fleeting references to this historical context. However, readers looking for a more comprehensive treatment should consult Alma Guillermoprieto's brilliant chapter on Colombia in her book, *The Heart that Bleeds*.

The aftermath of the kidnappings demonstrates their relative insignificance in the broader scheme of things. Pablo Escobar did in fact eventually order the release of eight of the hostages (one was executed and another killed in

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a shootout when the police stumbled upon the neighborhood where she was being held). Escobar gave himself up and was confined in a specially constructed prison which had many of the characteristics of a country club and from which he casually strolled, an escape made possible by some well-placed bribes. The police subsequently tracked him down and killed him. Yet the cocaine trade continues to flourish, and recent reports of payments made by the drug traffickers to Colombian legislators (and allegedly even to the president) demonstrate the deep roots of lawlessness in the country.

García Márquez presents a somewhat muted portrait of Escobar, whose larger-than-life qualities would seem to have been perfect grist for the author's literary talents. One wonders, for example, what flights of fantasy he might have constructed from the following minimalist passage he tossed off in *News of a Kidnapping*: "Politicians, industrialists, businesspeople, journalists, even ordinary freeloaders, came to the perpetual party . . . where Pablo Escobar kept a zoo with giraffes and hippos brought over from Africa, and where the entrance displayed, as if it were a national monument, the small plane used to export the first shipment of cocaine."

Indeed, the part of the narrative that comes closest to the wizardry for which García Márquez is best known describes Escobar's bizarre surrender, apparently provoked by an appeal from a saintly eighty-two-year-old cleric whose long-running evening sermonettes ("God's Minute") reached a wide radio audience despite their tendency to lapse into total incomprehensibility. The priest took it upon himself to act as mediator between Escobar and the government, and made personal contact with the trafficker, who thereupon released the hostages and presented himself to the authorities.

News of a Kidnapping displays occasional deft touches, but on the whole it is a minor work by a major talent. □

Joseph A. Page, *a professor at the Georgetown University Law Center, is the author of* The Brazilians *and* Perón: A Biography.

THE GARDEN PATH

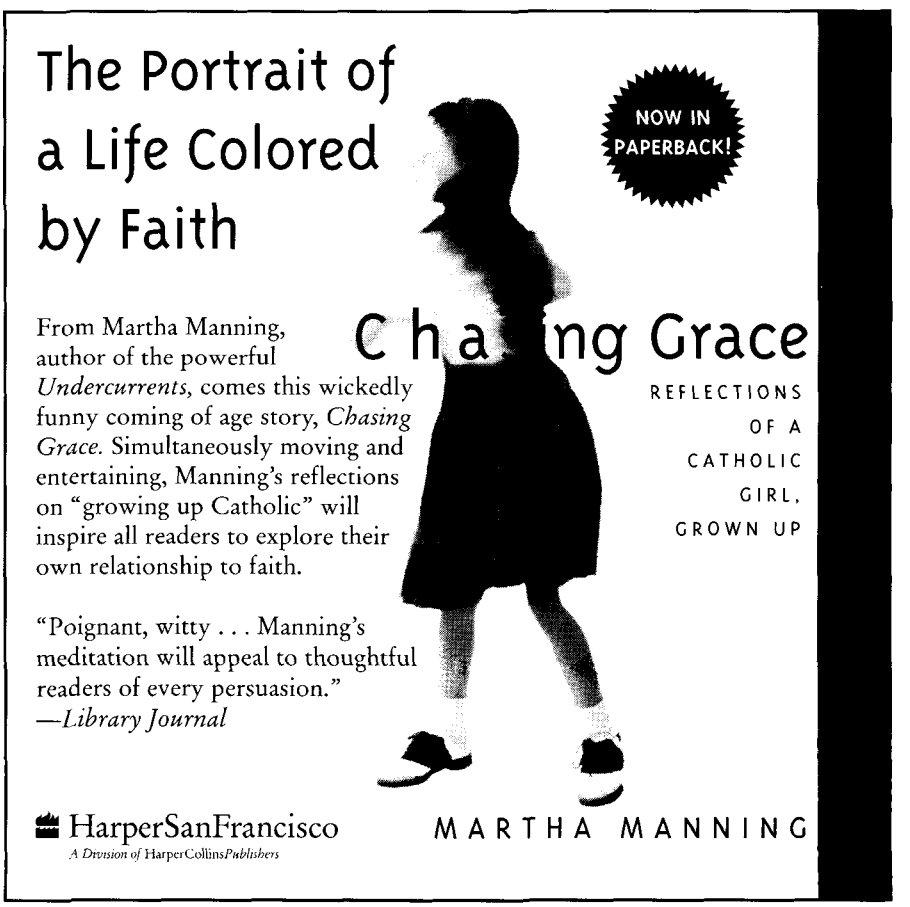
Naming the Light
A Week of Years
Rosemary Deen
University of Illinois Press, $14.95, 182 pp.

Suzanne Keen

Because Rosemary Deen is the poetry editor of *Commonweal*, I should begin by averring that I have never met her. But I should like to! The forty-three short essays that comprise her delightful volume *Naming the Light* generously open her garden, her circle of friends, her daily life, and the inner world of her meditations to her readers.

The deceptively plain, conversational style of these essays makes not only the writing, but the writer herself, seem accessible. One feels impelled to swap stories of gardens and their denizens: surely Deen would appreciate my obstinate desire to coax a garden out of a desolate New Haven yard, bounded by chain-link fences and flanked by pit-bulls, "Samson" and "Sophia" on the left, the more bluntly named "Shotgun" on the right. How ineffectual seemed the coral bells and the columbine to improve a plot that yielded a rusted pistol when I first turned the soil. Now the renters with the deadly dogs and I have all moved on, but when last I peered into my old neglected yard, the herbs and the perennials were hanging in there still.

My divarication (to divaricate: botanically, to branch at a wide angle) illustrates one of the pleasing results of reading Deen's essays, in which the matter—annuals, rocks, sandy soil, old clos-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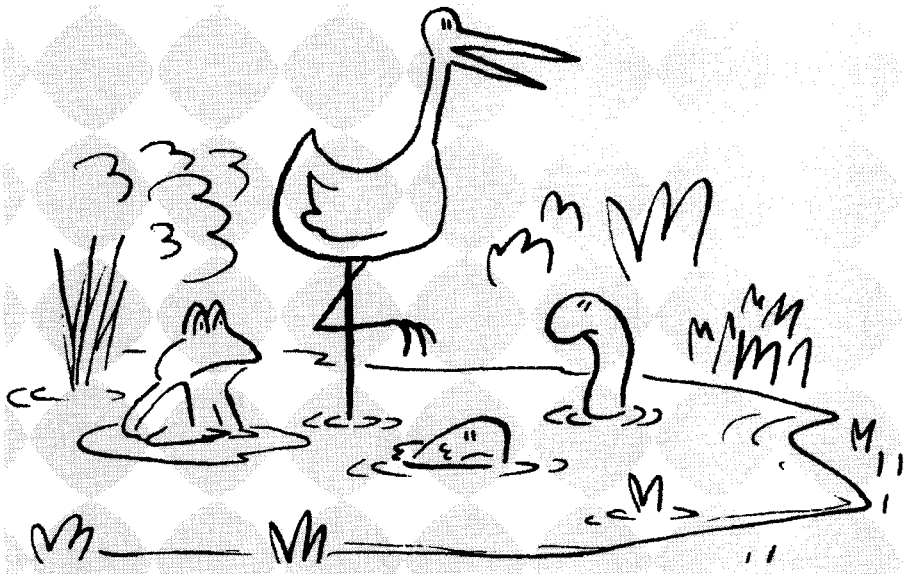

"Cool it, guys—here comes that nut Thoreau again."

ets, indoor and outdoor tasks, mulch, edges, a terrarium, water—prompts trains of thought which reseed, won't be dislodged, yield trash and treasures, and appear in surprising company, like the willful plants in Deen's garden. Reading Deen prompts an imaginary conversation, which is perhaps why her book is so easy to recommend: one wants to widen the circle to make room for more responses.

A difficult book to sum up, and an easy one with which to lose track of time (reading just one more essay before folding the laundry), Deen's collection is in fact rigorously organized into seven sections (the "week") of thematically linked pieces. She tells us in her introduction that Year One is about "the need for green," Year Two about "edges." Year Three is shaped in "a span . . . between the equinoxes," Year Four in a curve "down and up." In Year Five the essays "are partly about how we try to keep on working with the voices from our lives talking all at once in our heads," a topic that makes me hope that Rosemary Deen will turn next to writing a how-to manual, though the attentive reader will find plenty of instructions (including a wealth of throwaway gardening tips) in *Naming the Light*. But Deen is elliptical and (though never obscure) deliberately indirect: She leaves us to figure out on our own the theme of Year Seven, with its meditations on lenses and miniatures such as the terrarium, on ancient sweet pea seeds, on a rainworm and the waterlogged ground he flees. The rainworm leads to an elegant discussion of water in the landscape:

> In the natural course of weather, warm and cold, moist and dry do not mix but displace each other in a mutuality of opposition. I imagine my small rainworm coming to me on the weather system, perhaps created by the sun in the warm air of the equator, which spins the fastest of any part of the earth, like the rim of a wheel or the outermost whorl of a spindle. Lifted up by the incoming cool air from the north or south, he would feel the cool air beneath him lagging behind his equatorial spin, forming the trade winds going with the spin of the earth. He would sense the spindle resting on the knees of Necessity.

(I must say that sentences arranged in such a beautiful pattern, rising here with the metaphor to arrive with a solid thump at the epigrammatic last line, an allusion to Plato, please this reader in the nearly physical manner of metrical verse.) But I quoted these lines not for their rhythmic pleasure, but because they illustrate a habit of mind in which the small object, duly noticed, becomes the vehicle for meditation at least global, and possibly universal, in proportions.

Year Six, you will have noticed, I have skipped over, for in describing it Deen tips her hand: it is "renaissance in some way or other." Renaissance in a quite specific way, actually, for the whole collection of essays resembles nothing so much as the seventeenth-century art of prose meditation practiced by divines such as Bishop Joseph Hall. Here is Hall on a subject dear to Deen's heart, "Upon the Rain and Waters":

> What a sensible interchange there is in nature betwixt union and division! Many vapors rising from the sea meet together in one cloud; that cloud falls down divided into several drops; those drops run together and in many rills of water meet in the same channels; those channels run into the brook, those brooks into the rivers, those rivers into the sea. One receptacle is for all, though a large one, and all make back to their first and main original.

Hall elaborates the metaphorical burden of his observation:

> So it either is or should be with spiritual gifts. O God, Thou distillest Thy graces upon us not for our reservation but conveyance. . . . Take back, O Lord, those few drops Thou hast rained upon my soul and return them into that great ocean of the glory of Thine own bounty, from whence they had their beginning.

The labels of the contemporary publishing world allow that Rosemary Deen's book might be "Nature/Literature," or a garden book, or indeed "Creative Nonfiction." As soon as we embark with the author in the first essay on a "Water meadow walk to Saint Cross," along Isaak Walton's River Itchen, to a twelfth-century hospital manned by a cagy attendant named Mr. Heaven, we perceive that Deen has distilled out of daily life uncommon conveyances through deep channels. □

Suzanne Keen *teaches English literature at Washington and Lee University in Lexington, Virginia.*

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CITIES FIT FOR PEOPLE

Home from Nowhere
Remaking Our Everyday World for the Twenty-First Century
James Howard Kunstler
Simon & Schuster, $24, 318 pp.

Christopher Thomas

If you find America's decrepit downtowns and sprawling automobile suburbs disturbing, read this book. A colleague of mine calls Kunstler's *The Geography of Nowhere* (Simon & Schuster, 1994), the most important book she has read in twenty years; I see why. Not only are Kunstler's books well-written—clear, funny, full of irreverent conviction—but they forge a vital link between aesthetics and ethics. If traditional principles of town planning are not returned to, he argues, the continent and its inhabitants are in peril.

"Nowhere" is Kunstler's code word for the anonymous, formless sprawl of residential and commercial suburbia, lacking all semblance of public life and the same from sea to sea. *Geography* is a historic account of how Americans arrived there, in the process abandoning true, locally specific cities and leaving them wastelands of decay, crime, and *de facto* racial segregation. *Home* tells a more hopeful story of how, in a few cases, architects and developers have made some limited progress toward reversing the tragic decline. Kunstler and others have created the Congress for the New Urbanism—which I joined immediately on finishing the book—and call the experiments they sponsor by various names: civic art (echoing the City Beautiful movement of 1900), Traditional Neighborhood Development (TND), or Transit Oriented Development (TOD). Related to architectural postmodernism, the New Urbanism tries to regenerate derelict sites in cities and build new, "greenfields" developments outside them that are more varied and humane than hermetic postwar tract-suburbs.

The book is divided into three parts. The opening section relates Americans' historical mistrust of the city, the elevation of the private home to the status of a "totem object"—and corresponding denigration of public life—and our insane affair with the automobile, which has been the ruination of many cities. Their physical collapse is more than a symptom of underlying economic and social problems, Kunstler argues, but to some degree a cause. In a transitional chapter that is perhaps the most debatable in the book, he argues that what the centrifugal "sprawlscape" most lacks is a quality he calls "charm"—empathetic response to universal bodily and spiritual desires. Now, architectural empathy is a controverted idea in the history of aesthetics, and I do not find Kunstler's appeals to verticals, regulating lines, and the Golden Section totally convincing—especially since the Modernist architects he condemns, especially Le Corbusier, worshiped at their altar.

Kunstler then articulates the principles of the New Urbanism: replacing zoning (imported from Germany in the early twentieth century), which isolates homes from stores and parks and public buildings and compels us to use the car for the simplest trip, with "civic art," or practices deeply rooted in history and psychology; establishing the walkable neighborhood as the module of the city; determining a hierarchy of streets, from the grand boulevard to the service alley; drawing up, preferably in community exercises called "charettes," architectural codes using language that all can understand governing basics such as sizes of houses and lots, depths of setback, and forms of roofs and porches. The goal is dynamic—to mix various types of housing with commercial and public activity. But discouraging this "new" approach, Kunstler argues, is the present system of taxing property, which promotes speculation in land and the decay of older buildings. Though traditionalist and hierarchical—so, some claim, un-American—the New Urbanism is arguably less restrictive than today's impenetrable zoning codes.

The rest of the book gives flesh to these principles by discussing places where they have or have not been applied—for weal or woe. Seaside, the neotraditional town on the Florida Panhandle developed in the eighties by architects Andres Duany and Elizabeth Plater-Zyberk (DPZ) of Miami, standard-bearers for the New Urbanism, has been an aesthetic and residential success but has not so far attracted vigorous commercial life. So the movement's proponents want to demonstrate its potential to give life to actual, functioning communities. With the space between cities more and more sprawled out, today the most promising "frontiers" for commercial and residential "pioneers" just may be the wastelands near the hearts of old cities. Downtown (or, as locals call it, "downcity") Providence, Rhode Island, was a typical rotting Northeastern urban core until some progressives, with DPZ's help, re-envisioned it as a SoHo for the young artistic set. A maze of overlapping bureaucracies strangled the same architects' attempt to model a TND on Cape Cod, where, if anywhere, compactness would be a virtue; on the other hand, enterprising developers in Columbus and Memphis took vacant urban sites and created dynamic, mixed-use neighborhoods. Some cities show complete ignorance of effective urban typologies: Cleveland's public housing authority built suburban ranchhouses in the ghetto, and a conservation group in Kunstler's own Saratoga Springs, New York, could think of nothing better to do with a vacant site downtown than turn it into a park—opposite the town's premier existing park, designed by Olmsted! Perhaps, for all its problems, Manhattan, from which Kunstler hails, best illustrates a city scaled to walkers and their eyes (if not their ears!) and so perpetually regenerates its streets. He reserves most anxiety and vilification for

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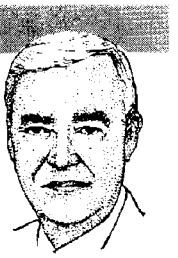
South Florida, where immigration of different sorts from north and south threatens ecological Armageddon. A chapter on agriculture seems unexpected, but the farmer to whom we are introduced, Steve Gilman, is so engaging and Kunstler's argument about the peril into which agribusiness and imprudent urbanization have thrown farming so important, that we indulge him this wander.

Home from Nowhere has ethical implications that ought to engage readers. This is not a genteel, nostalgic plea for a return to elm-arched life in the small town, but a prophetic call to "turn and be saved." If I am less sanguine than Kunstler about the ability and determination of private initiative and enterprise, ungoaded, to bring us back from the brink, I read the book as an appeal for a new consciousness of cities and the environments they anchor. □

Christopher Thomas *teaches in the Department of Art History at the University of Victoria in British Columbia.*



RELIGION BOOKNOTES

Lawrence S. Cunningham

Byzantine icons tend to bemuse many viewers. To the Western eye they seem stylistically to look very much alike: hieratic, static, stiff figures against gold backgrounds with very little natural context. Despite this seemingly alien style, many people find a luminous beauty in these figures which are so central to the religious experience of the Christian East. The late Ernst Benz once wrote that to understand icons is to understand Orthodoxy.

Anyone who has more than a passing interest in icons (like myself) will find Maguire's book extremely helpful. He provides a decoding of the iconographical tradition that helps us gain a more perceptive eye when we look at what one scholar has called this "theology in color." In four well-written chapters (enhanced by 163 halftone illustrations) Maguire shows how the icon painter uses a visual language to distinguish "types" of, say, saints according to their spiritual task: ascetics are thin and angular to represent their desire for the nearly immaterial existence of the contemplative life (the so-called "angelic life") while soldier-saints are more animated and robust. Figures, once their traits entered the tradition, became a standard from which there was little deviation: the beard of Saint Nicholas was always long and the skin tone of John Chrysostom always reflected a certain pallor.

The Icons of Their Bodies: Saints and Their Images in Byzantium
by Henry Maguire
Princeton University Press, $59.50, 222 pp.

This desire to paint the lives of the saints according to their spiritual duties (Maguire is excellent in correlating art with the written sources of Byzantine hagiography) was so engrained in the Byzantine tradition that when a fifteenth-century Greek visited Florence and went into a Latin church, he could not make heads or tails of the art because his eye was so otherwise trained.

Maguire's volume is filled with useful observations that have helped me understand Byzantine art in a new way. The wide-eyed Christs of Byzantine mosaics, for instance, may well represent Christ's "eye of justice," which was thought a powerful antidote to ancient envy transmitted by the "evil eye." Depictions of the Virgin tend to be more "fleshly" and detailed than those of Christ since the former is the guarantor of the Incarnation while the latter subject must conform to the binary condition of divinity/humanity.

This is not a book introducing Byzantine art; it is rather a book for those who have been introduced to such art and who wish to get deeper into its aesthetic and theology. Ample notes, a bibliography, and an index make it all the

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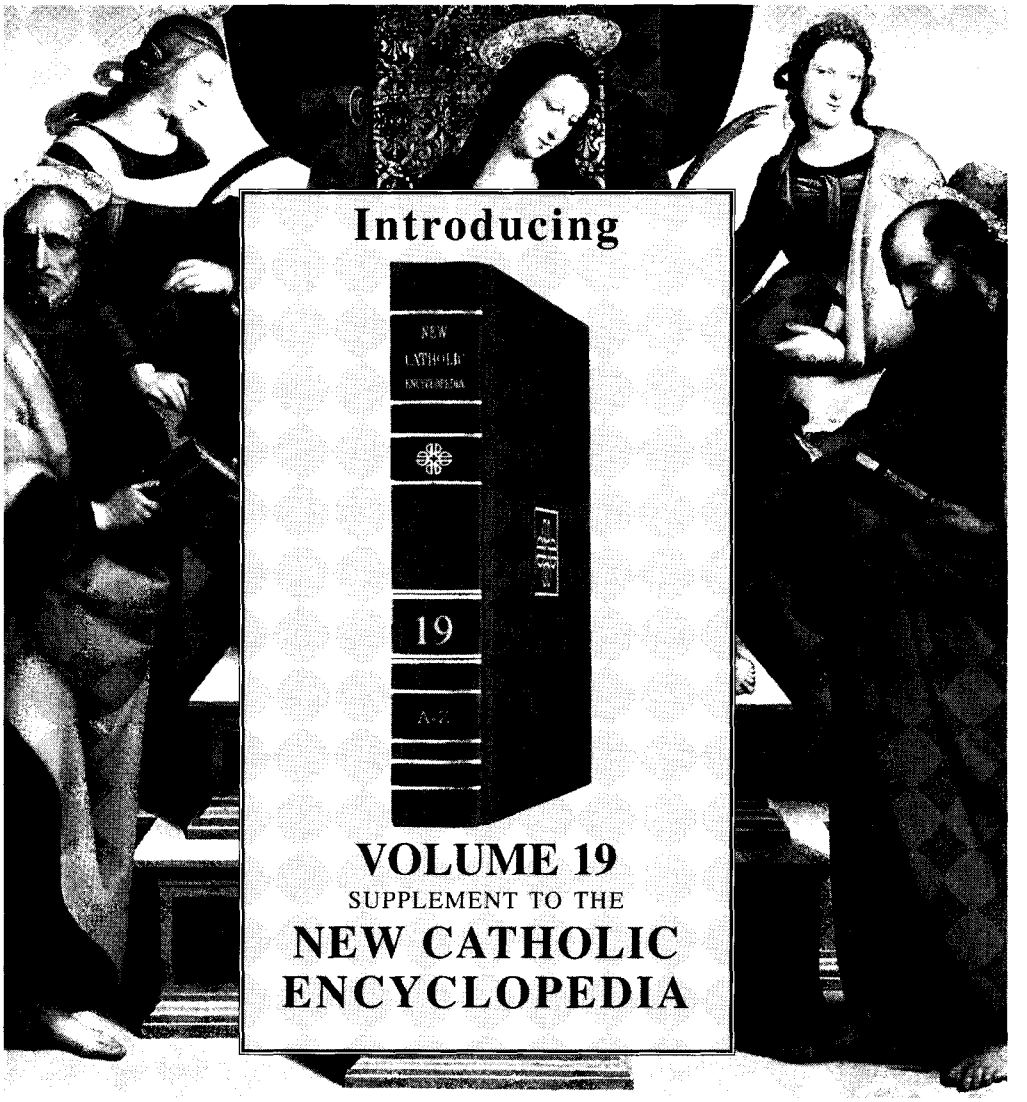

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more useful. This is not an inexpensive volume, but it is not just another overpriced coffee-table book either. It is a readable scholarly work that could also serve as a reference text. I'm only sorry that the author did not create some schematics to summarize the standard traits which he discusses.

Praying with Icons
by Jim Forest
Orbis, $16, 171 pp.

Forest's book, by contrast, is very much a popular introduction combining his own spiritual vision as a convert to Russian Orthodoxy, his use of icons in his family's devotional life, a short history of the development of icons in the Christian tradition, and, in separate chapters, the main iconographical themes of the various kinds of icons. He also has a fine chapter on icon making (or, as is often said in the East, the "writing" of icons), using a detailed description of one famous monk , the contemporary iconographer, Father Zinon of the monastery of the Caves in Russia. There are a number of color plates.

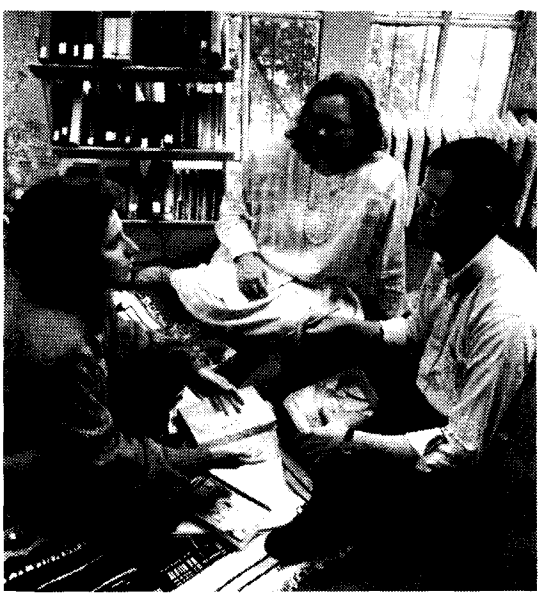
One way to describe Forest's rather wide-ranging book is to say that it is about the spirituality of icons. This emphasis is enhanced by an appendix reproducing Byzantine prayers used in the morning and evening. *Praying with Icons* is a very readable book by a well-known peace activist and writer on spirituality. A bibliography and an index would have been helpful. Forest does provide a list of places both in the United States and abroad (he lives in the Netherlands) where one might obtain icons and/or their reproductions, but it is a highly selective list.

Gold, Frankincense and Myrrh: An Introduction to Eastern Christian Spirituality
by George A. Maloney
Crossroad, $16.95, 178 pp.

In the Christian East there is not only a theology of icons but a theological tradition which can be expressed in icons. Father Maloney, a prolific writer on the Christian East, gives us a popular overview of that distinctive spirituality. This is not a book on how to say the Jesus Prayer or how to pray before icons or how to comport oneself at the liturgy. Rather, it sets out the main thematic lines of Eastern theology. Eastern theology, spirituality, and liturgy are far more interconnected than they are in the modern and contemporary West.

Although the breakdown of the book is not done in a mechanical fashion, there is a kind of Trinitarian character to the twelve chapters. Maloney begins with the Trinity as a source of both community and creation and then follows with chapters on apophatic and logos mysticism, the ascetic life, and separate chapters on Christ, Mary, and icons. The book ends with a fine discussion of the Holy Spirit which avoids parsing controversial issues too finely (for example, on the divine energies). A glossary of terms is provided.

Maloney's work is straightforward enough and makes a good introduction



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to Eastern spirituality, although it is not as comprehensive as Tomas Spidlik's *The Spirituality of the Christian East* (Cistercian Publications, 1986). One curious thing about Maloney's volume is that his footnotes and bibliography make no reference to recent translations of some of the classic authors he discusses. After all, Origen, Gregory of Nyssa, John Cassian, John Climacus, *et al* are now available in the Paulist Press's *Classics of Western Spirituality* series, and many fine books have appeared to which Maloney never averts. In a book billed as an introduction to such resources, a greater effort should have been made to alert readers to the wealth of material available. This is a serious flaw in an otherwise serviceable volume and makes one wonder whether the author is recycling some older material.

Spiritual Theology
by Diogenes Allen
Cowley, $11.95, 169 pp.

Diogenes Allen, a philosophical theologian at Princeton Seminary, is well known as an interpreter of, among others, Simone Weil, Soren Kierkegaard, and Ludwig Wittgenstein. Anyone with those interests would of necessity be concerned with deep religious experience. *Spiritual Theology* is an attempt to put together a synthetic view of theology that does justice to both Christian reflection and Christian practice. More to the point, Allen, citing John Calvin, argues that we may be justified in Christ through faith but then comes the issue of sanctification: How do we become holy, free ourselves from evil, and grow in charity? And, further, how do we chart that journey?

In eleven compact chapters, Allen attempts to set out answers to those and ancillary questions. He shares with the interested reader the fruits of his own encounter with classic Christian spiritual theology, both Eastern and Western. Although Allen, true child of the Reformation, may be a bit gun-shy about ecstatic contemplation, he nonetheless argues, with some insistence, that one can arrive at a sense of the habitual presence of God in our ordinary lives. That sense of God's presence becomes available to us through the "stages" of spiritual journeying set out by the great spiritual masters/mistresses of the tradition.

One of the more striking facts about the contemporary theological scene is the convergence among authors of various Christian traditions who argue for a coherent, serious, theologically based, and experiential spirituality. Books by Evangelicals (Mulholland), Lutherans (Hanson), Anglicans (Leech,), Orthodox (Louth, Ware) as well as a spectrum of Roman Catholics all concur on this. To that list we should add this tightly argued, eminently readable volume from a theologian who represents the classical Reformed tradition.

Louis Massignon (1883-1962) was one of the premier Arabists of this century. Born into a cultured French family (his father, a sculptor, was a contemporary of Rodin), Massignon made a brilliant career which led to a chair at the Collège de France as a result of his epochal study of the Muslim mystic 'Al Hallaj and his crucial work on the vocabulary of Islamic mysticism. Although a proponent of France's "civilizing mission" in its colonies (for which he earned the ire of Edward Said as just another "Orientalist"), Massignon's mature years put him at odds with both the French policy in Algeria in the 1950s and the birth of the Jewish state (like Judah Magnes and Martin Buber, he hoped for a binational state) for which he suffered the unwarranted charge of anti-Semitism.

Louis Massignon: The Crucible of Compassion
by Mary Louise Gude
University of Notre Dame Press, $34.95, 283 pp.

A wrenching personal and moral crisis and a near suicide led him to a religious conversion in 1908. That conversion, detested by his anticlerical father, put him in close contact with the most productive Catholic intellectuals in France and abroad. Gude's biography is studded with names familiar to those who know that scene: Ernest Psichari, Gabriel Marcel, Paul Claudel, Jacques Maritain, Emmanuel Mounier, Lanza del Vasto, Thomas Merton, and a series of popes from Pius XI on. He was an intimate friend of Charles de Foucauld but resisted the temptation to join him in the ascetic life. Massignon married his distant cousin, raised a family, and, with Vatican permission, was eventually ordained a priest in the Melkite rite.

This colorful story, told clearly and crisply by Gude, lays bare an oddly sad life given to scholarship, deep, almost mystical piety, a search for peace (he was a devoted follower of Gandhi), and

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indefatigable labors to bridge the worlds of the three Abrahamic religions. Gude rightly notes that Massignon made possible the irenic tone taken by Vatican II's *Nostra aetate* toward the Muslims.

What Gude does not discuss in any detail is Massignon's impact on other areas of Catholic theology. His essays in the twenties and thirties on Muslim mystics such as 'Al Hallaj and different Sufis showed the Catholic world that deep mystical experience ("infused contemplation") was available outside the Catholic context. That discussion led some (even the redoubtable Reginald Garrigou-LaGrange) to rethink, long before Vatican II, not only the meaning of mystical experience but the whole issue of grace and the grace-filled experience of God outside the boundaries of the church or even Christianity.

Massignon was a complex man. He had a deep thirst for true "hospitality" among religious believers. With his friend Mary Kalil, the Cairene Christian, he held together for years an association of Christians and Muslims (the *Badaliya*—a sodality of prayer) that sought deep unity between these two faiths. In that sense, as Gude shows, Massignon anticipated by decades and helped to bring about the more fruitful contemplative contacts that occur today.

In a time when Arab countries in general and Muslims in particular are stereotyped and reviled both here and abroad, it is refreshing and hopeful to have a portrait in English of this saintly bridge builder, scholar, and mystic. My hope is that interest in this crucial figure and his circle in twentieth-century Catholicism will be encouraged by this work. Has anyone thought, for instance, about publishing an English edition of the correspondence between Massignon and de Foucauld, two great mystical figures of the Christian-Muslim encounter?

The Beggar & the Professor: A Sixteenth-Century Family Saga
by Emmanuel Le Roy Ladurie
University of Chicago, $29.95, 407 pp.

Ladurie has written a book which could be read as a historical novel. Taking the autobiographical writings of two generations (father and son) of a Swiss family and using his own unparalleled knowledge of European social history, he has produced a remarkable and highly reliable social history. The result is an intriguing story played out against the great events of the Renaissance and the Reformation.

Thomas Platter (born 1499) left his peasant home to wander Europe, barefoot and poor, until he finally settled in Basel. By dint of his own tenacity and native wit, he not only acquired an excellent humanist education (with the three obligatory languages of Latin, Greek, and Hebrew), but skill as a printer in a town famous for Renaissance printers such as Frobenius. Platter himself printed the first edition of John Calvin's *Institutes* (1536) and a few years later met the future leader of Geneva for a discussion of its contents. His commitment to scholarship and its dissemination did not stop him from also investing in land, homes, and farms. He also found time to teach and, with the aid of his wife, run a hostel for students.

Platter's son, Felix (born 1536), went to Montpellier in France as a young man to study medicine (and kept a journal of his travels). Upon his return to Basel, Felix embarked on a splendid career as a professor of medicine. He maintained a private museum filled with books, a herbarium, seeds, stuffed crocodiles, antiquities, artifacts from the new world, and a "live elk which kept the lawns mowed."

This bare-bones account of the Platters is only a skeleton upon which Ladurie hangs wonderful discussions of the age of humanism, the conditions of towns and cities in sixteenth-century France and Switzerland (Paris had, according to Felix, 1,100 tennis courts!), menus at inns, public executions, the tensions between Catholics and Protestants, farming, trade, the theory and practice of medicine (appalling by our standards), and city planning. A complete menu for the wedding feast of Felix and his bride, a true gastronomic extravaganza, allows the author to create a schema to describe the wedding meals and compare them to the sumptuary laws of the day.

One can read Ladurie purely to become informed about sixteenth-century European life, especially the interplay of religious strife and humanism. But *The Beggar & the Professor* is also an extremely well-written saga (ably translated by Arthur Goldhammer), and one of those books which I portioned out a few pages a day for the sheer pleasure of its company. □

Lawrence S. Cunningham *teaches theology at the University of Notre Dame.*

CORRESPONDENCE

(Continued from page 4)

The author replies:

Please allow me to make seven points.

1. I did not ask my readers for forbearance but advised them that my essay (like every theologian's) was neither undebatable nor complete.

2. Relatively few lines of my piece dealt directly with the Jesus Seminar. Even if they should be peevish, it is hard to believe that they made the whole essay peevish, or that they reduced it to a "merciless castigation" of the Jesus Seminar.

3. I plead guilty to some qualities and habits that cast doubts on my "faith in action"; yet I assure Mr. Ferris that I have never been accused of academic jealousy.

4. I impugned not the motives of the members of the Jesus Seminar but the soundness of some of their methods and the quality of some of their recent publications.

5. A "conscious and moneyed conspiracy" is an exaggerated interpretation of what I suggested the Seminar is. To "undermine the fragile faith of believers" is an unnecessary put-down of Christian believers. Yet their faith is better fed by historically informed faith than by history alone, and by sober truth more than by fanciful learning.

6. Less than a week after the essay appeared, I got a long e-mail letter from a friend, an early, active member of the Jesus Seminar who is now a re-

(Continued on page 30)

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CORRESPONDENCE

(Continued from page 29)

spected associate professor of New Testament. The letter recounted many excellent memories of the Seminar's opening gambits, but also regretted that its high aims were all too soon crippled by a thirst for sensationalism on the part of some members; my friend left the project when it ceased to be a valid scholarly exercise. I knew of this sad history, but felt reluctant to recount it; my essay was about Jesus, not about the Jesus Seminar. And I am not the only academic who occasionally jokes, with some disenchantment but without malice, about the funds made available to initiatives that flaunt scholarship but produce something quite a bit short of that.

7. Finally, may I endorse Mr. Ferris's closing question while confessing that I often find it pretty hard to answer.

FRANS JOZEF VAN BEECK, S.J.

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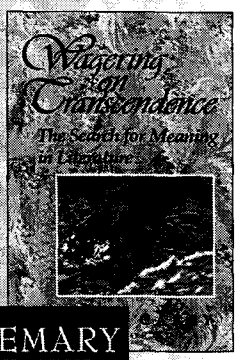

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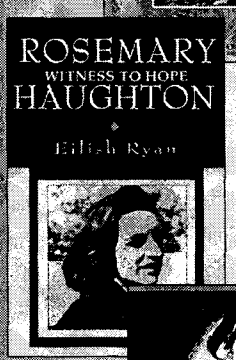

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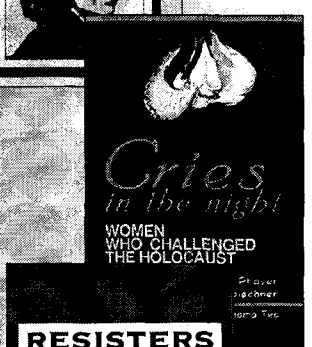

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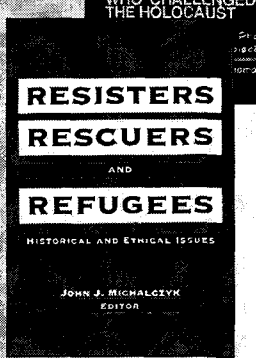

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FORGIVE ME, SOLICITOR

Lawrence J. Gillis

How many times in the past fifty-five years have I uttered those timeless words: "Bless me, Father, for I have sinned"? I remember having to make up sins at first in order to have some to confess. I wasn't mature enough to know that making them up is a sin in itself, a fraud on the very sacrament of reconciliation. "How cute," people may have said of me, but it was still a sin to have done that.

Over the past fifty-five years I have known many other sins, too. It sometimes seemed that, by the time I learned that one thing was sinful, I had already moved onto another sin, bigger and better. Like most of us, I didn't intend to grow up knowing sin, but it worked out that way. And I have come to know real guilt, too. There was a time when I considered the whole day wasted if I hadn't felt guilty at least once.

About twenty-five years ago I became a criminal trial lawyer. Since then I have handled a lot of cases having to do with drunk driving, shoplifting, assault and battery, probation violations, and driving-license hearings. Most people from these whereabouts don't think much of my clients. Frankly, most of my clients don't think much of my clients, either. "Trailer trash" is one of the kinder phrases that comes to their minds.

As I said, I have come to know guilt and not only by my own acts but by the acts of my clients also. Not that I was there while they were committing their defalcations (I was too busy committing my own sins, thank you), but because often my clients confess to me afterwards. Clients do that, you know—confess to their lawyers. And they have paid me serious money to listen to their confessions. (Nowadays the church can call it *reconciliation* if it wants, but I work in a criminal context. Out here, in the real world, we call it *confession*.)

It occurs to me that there is a basic asymmetry in all this, because many of my clients are barely able to afford my services. The courts may decide that my clients make too much money and can pay for their own lawyers, but my clients and I know better. Sometimes I think that judges do not live in the real world.

The asymmetry is this: Why should clients pay me money they don't have, so I'll hear their confessions, when an honest-to-God alternative—so to speak—is just up the street, at the parish church where I, and several other criminal lawyers whom I know, go to confession?

I've been inside that church on many Saturday afternoons to offer my own confession, and the place is practically deserted. The priest inside the confessional is sort of like the Maytag repairman, the loneliest guy in town. He's eager and experienced and doesn't cost anything. In fact, the church he represents is 2,000 years old and has been hearing confessions much of that time. Let me put it to you this way: The church is better at confessions than I am, and its services cost nothing.

So, why do the clients—who would have cheerfully offered their confessions up the street a decade or so ago—now come to me? I'll tell you why in one simple phrase: It's the cult of the legal. The reality is simple: The law is where it's at.

In a time of happy memory, the church had a near monopoly on earthly mystery and power, leaving people slack-jawed in awe and wonder. Today, there is another church—the law—and, as a criminal trial lawyer, I am one of its most visible priests. If you are caught up by the wickedness and snares of the devil, everyone says you should go see your lawyer, not your priest. And since "everybody says it, it must be true."

I've heard at least 2,500 confessions over the past twenty-five years and offered my own numerous times, so it's fair to say that I am a connoisseur of fine confessions. That's why I'm qualified to tell you this: Don't you believe what all these people are saying, not for one Catholic minute. Confession to a lawyer doesn't hold a candle to confession to a priest. A lawyer might be able to keep you out of jail, at least for a while, but the priest on behalf of the church can offer you what no lawyer can possibly provide: Forgiveness of sins, love, and eternal life.

You'll never see "forgiveness of sins, love, and eternal life" in a retainer agreement with a lawyer. For that matter, when was the last time you heard your lawyer say "*absolvo te*"? As a lawyer, I've been terribly tempted numerous times to use that Latin phrase after hearing a client's confession, but that would be a sin, wouldn't it? And if you start out your confession to me with the words, "Bless me, lawyer, for I have sinned," then we are both in deep trouble.

Do us both a favor: Take your confession to the priest, or at least give him a ten-day option or the right of first refusal. If that doesn't work, then give me a call. □

Laurence J. Gillis *practices law in Exeter, New Hampshire.*

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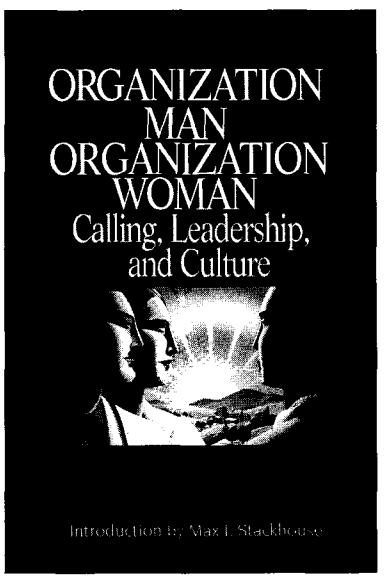

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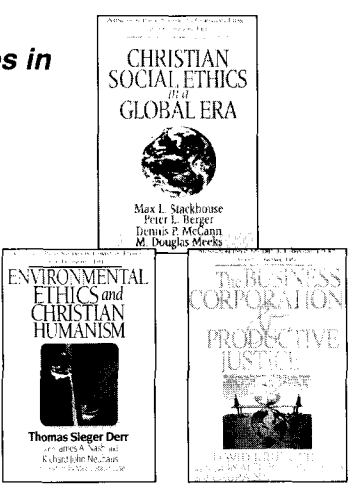
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